



**THE**

**JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Thu., the 27th Aug., 2015/5th Bhad., 1937. [No. 22

CONTENTS	English Pages	Vernacular pages
PART I-A- Appointments, promotions, transfers and leave of absence sanctioned by the Governor, Government and the Ministers ....	220-228	
PART I-B- Notifications, Communiques and General Orders by the Government and the Ministers ....	131-134	
PART II-A- Appointments, promotions, transfers and leave of absence sanctioned by Heads of Departments....	43-44	
PART II-B- Notifications, Notices and Orders by Heads of Departments, Provincial Heads, Magistrates and other officers competent to issue public notices under any law or rule.....	367-380	
PART II-C- Notifications, Notices and Orders by Election Commission of India, Chief Electoral Officer, Jammu and Kashmir and other Officers of the Department, Election Petitions and Judgements of Election Tribunal ....		
PART III- Laws, Regulations and Rules passed thereunder ....		
PART IV- Reprints from the Government of India Gazette or Gazettes of others Governments....		
PART V- Information and Statistics .... (a) Rates and prices in the State.... (b) Rates and wages .... (c) Crop Report and Forecasts .... (d) Whether Observations .... (e) Vital Statistics ....		
SUPPLEMENT-A—Trade Monthly Imports and Exports from the State ....		
SUPPLEMENT-B—Police ....	95-96	121-124
SUPPLEMENT-C—Advertisements ....		

Printed at the Government Press, Srinagar.

## **PART I-A**

### **Jammu & Kashmir Government—Orders.**

---

HIGH COURT OF JAMMU AND KASHMIR AT SRINAGAR.

Notification

No. 182 Dated 27-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Ms. Chandni Bhagat D/o Shri Shamsheer Bhagat R/o Sector 6, H. No. 92, Model Town, Gangyal, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-211/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

---

Notification

No. 183 Dated 27-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Randeep Singh S/o Mr. Mohan Singh R/o H. No. 119, Sector-11, Nanak Nagar, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-201/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

---

Notification

No. 184 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Dheendra Partap Singh S/o Shri Digvijay Singh Sambyal R/o Mandi Kehli, Samba A/P H. No. 369, Sector-F, Sainik Colony, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-242/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

---

Notification

No. 185 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Anoop Plathia S/o Shri Nand Lal R/o Arnia, Ward No. 3, House No. 64, Bishnah, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-225/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

---

Notification

No. 186 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Yoginder Singh Jamwal S/o Late Shri Rawel Singh Jamwal R/o Majhli Mandi, Village Raipur, Jammu A/P Cosmic College Complex, Lakhanpur, Kuthua has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-208/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 187 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Hardesh Kumar S/o Shri Shish Pal R/o Ward No. Old-4, New 7, Qasiba Bala, Nowshera, District Rajouri has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-224/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 188 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Trishant Gupta S/o Shri Sushil Gupta R/o Ward No. 10, Kathua has been admitted and enrolled as an Advocate on the Rolls of Jammu and

Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-207/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----

Notification

No. 189 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Ms. Meetika Sharma D/o Shri Ramesh Chander R/o Sanghani, P/O Barui, Akhnoor, District Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-206/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----

Notification

No. 190 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Ms. Monika Rathore D/o Shri Sehdev Singh Rathore R/o Village Khanetar, Tehsil Haveli, District Poonch A/P H. No. 62/A, Daily Excelsior Lane, Indira Colony, Old Janipur, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-205/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 191 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Asif Ali Malik S/o Shri Ali Mohd Malik R/o Frestabal, Pampore, District Pulwama has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-243/15 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 192 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Ms. Afshana Nazir Rather D/o Shri Nazir Ahmad Rather R/o Sarai Safa Kadal, Sonerkul, Srinagar has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-248/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----

Notification

No. 193 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Anirudh Partap S/o Lt. Shri Balraj Singh Jamwal R/o Lane No. 4, Tawi Vihar Housing Colony, Sidhra, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-232/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 194 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Ms. Malvi Sumbyal D/o Shri Pawan Singh R/o Mandi Thalora, Samba has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-237/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 195 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Charanje Lal S/o Shri Isher Dass R/o Mangerli, (Rease), Tehsil and District Udhampur has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one

year from the date of issuance of this notification. His name has been entered under Serial No. JK-231/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 196 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Nischal Jyoti S/o Shri Omkar Singh R/o Deoray Kubbay, P/O Karloop, Tehsil Marh, District Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-227/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 197 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Ms. Bhanu Bhatia D/o Shri Narinder Kumar R/o H. No. 35, New Plot, Rehari, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-228/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.



Notification

No. 198 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Ms. Kamal Sharma D/o Shri Birbal Sharma R/o Lower Hathal, Tehsil Sunderbani, District Rajouri A/P Narwal Bye-Pass Road, Mohalla Shiv Shakti Temple, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-215/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 199 Dated 28-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Ms. Kanchan Verma D/o Shri Puran Chand R/o Kangrail, Tehsil and District Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-221/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 200 Dated 29-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Mr. Vinod Kumar Mahajan S/o Shri Dewan Mela Ram Mahajan R/o H. No. 281, Sector-3, Channi Himmat, Jammu has been admitted and

enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. His name has been entered under Serial No. JK-238/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

-----  
Notification

No. 201 Dated 29-05-2015.

It is hereby notified that vide High Court Order dated 19-05-2015 Ms. Vishakha Chib D/o Shri Sham Singh R/o Khour, District Jammu A/P Purkhoo, P/O Domana, Jammu has been admitted and enrolled as an Advocate on the Rolls of Jammu and Kashmir Bar Council provisionally for a period of one year from the date of issuance of this notification. Her name has been entered under Serial No. JK-219/2015 in the Roll of Advocates maintained by this Registry.

The renewal/extension of provisional license/enrolment must be sought before the date of expiry unless the absolute/final enrolment as an Advocate is ordered therebefore.

(Sd.) G. M. PARRAY,

Joint Registrar (Adm.).



**THE**  
**JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Thu., the 27th August, 2015/5th Bhad., 1937. [No. 22

---

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

---

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—GENERAL ADMINISTRATION  
DEPARTMENT  
(Administration Section).

Subject:— Appointment of Chairperson, J&K State Social Welfare  
Board.

---

Corrigendum to Government Order No. 954-GAD of 2015

Dated 09-07-2015.

Please read “Dr. (Prof.) Nirmal Gupta” in place of “Dr. (Prof.)  
Nirmal Kamal” wherever appearing in the Government Order

No. 954-GAD of 2015 dated 09-07-2015, issued under endorsement  
No. GAD (Adm.) 253/2008-V dated 09-07-2015.

By order of the Government of Jammu and Kashmir.

(Sd.) IMTEEAZ KACHO,

Under Secretary to the Government,  
General Administration Department.

---

GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—GENERAL ADMINISTRATION  
DEPARTMENT  
(Services).

Subject :— Setting up of a Lead Agency to act as the Secretariat of the  
State Road Safety Council—measures to promote Road Safety  
thereof.

Reference :— (i) F. No. 44/CoRS/2014 dated the 3rd of March, 2015,  
and the 4th of June, 2015, from the Secretary,  
Committee of Road Safety, Supreme Court of India.

(ii) U. O. No. TR-161/MVD/2015 dated 17-06-2015 from  
the Transport Department.

---

Government Order No. 854-GAD of 2015

Dated 29-06-2015.

Sanction is hereby accorded to the setting up of a Lead Agency to act  
as the 'Secretariat of the State Road Safety Council' and coordinate all

activities relating to the road safety in the State, which would include the functions of the Police, Public Works (R&B) Department, Education Department, Health Department, Local Bodies, Non-Government Organizations and other departments concerned with the road safety.

It is further ordered that the Secretariat shall function under the charge of the Administrative Secretary, Transport Department and comprise the following staff to be posted from the departments indicated against each :—

- |    |                                  |   |
|----|----------------------------------|---|
| 1. | Additional Secretary             | An officer holding the Selection Grade of KAS, to be deputed by the General Administration Department.  |
| 2. | Additional Secretary (Technical) | An SSP level officer, to be deputed by the Home Department.   |
| 3. | Additional Secretary (Technical) | A Superintending Engineer level officer, to be deputed by the Public Works (R&B) Department.            |
| 4. | Under Secretary                  | A Junior Scale of KAS/equivalent level officer, to be deputed by the General Administration Department. |
| 5. | Statistical Officer              | To be deputed by the Planning and Development Department.   |
| 6. | Head Assistant                   | To be deputed by the General Administration Department.   |
| 7. | Personal Assistant               | To be deputed by the General Administration Department.   |
| 8. | Senior Assistant                 | To be deputed by the General Administration Department.   |

The above officers/officials shall, upon their posting in the Secretariat of the State Road Safety Council, continue to draw their salary from their respective parent departments, till further orders.

By order of the Government of Jammu and Kashmir.

(Sd.)GAZZANFER HUSSAIN,  
Commissioner/Secretary to the Government,  
General Administration Department.

---

GOVERNMENT OF JAMMU AND KASHMIR,  
CIVIL SECRETARIAT—CHIEF MINISTER'S SECRETARIAT.

Subject :— J&K Government Grievance Cell.

Reference :— Order No. 775-GAD of 2015 dated 10-06-2015 issued by  
the General Administration Department.

---

Order No. CMS–35 of 2015

Dated 07-07-2015.

Order No. CMS-28 of 2015 dated 25-06-2015 issued under  
endorsement No. CMS/Genl./165/2015 dated 25-06-2015 shall deemed to  
have been withdrawn abinitio.

(Sd.).....

Principal Secretary to HCM.



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

---

Vol. 128] Srinagar, Thu., the 27th Aug., 2015/5th Bhad., 1937. [ No. 22

---

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

---

**PART II—A**

**Orders by Heads of Departments.**

---

**CHARGE REPORTS**

Subject :—Appointment of Kousar Ahmad Qureshi, District and Sessions  
Judge as Presiding Officer of the Industrial Tribunal and Labour  
Court, J&K.

---

In pursuance of Government Order No. 2137-LD (A) of 2015 dated  
22-07-2015, I have assumed the charge as Presiding Office, of the Office  
of Industrial Tribunal-cum-Labour Court, Jammu and Kashmir State with  
effect from day of 29th July, 2015 afternoon.

(Sd.) KOUSAR AHMAD QURESHI,

District and Sessions Judge,  
Presiding Officer,  
Industrial Tribunal/Labour Court.

---

Subject :—Assuming of charge as Director General, Fire and Emergency Services, J&K.

-----

In pursuance of Government Order No. 675-GAD of 2015 dated 18-05-2015, I hereby assume the charge as Director General, Fire and Emergency Services, J&K today on 21-05-2015 A. N.

(Sd.) Er. R. S. SODHI,

Director General,  
Fire and Emergency Services, J&K,  
Srinagar.





**THE**  
**JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Thu., the 27th August, 2015/5th Bhad., 1937. [No. 22

---

Separate paging is given to this part in order that it may be filed  
as a separate compilation.

---

**PART II—B**

**Notifications, Notices and Orders by the Heads of Departments.**

---

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE DEPUTY COMMISSIONER,  
SHOPIAN.

Notification of land under section 4 (1) of State Land Acquisition  
Act, 1990.

Subject :—Acquisition of land for construction of Reshnagri  
Check-i-Ismilwani road under PMGSY.

---

The Executive Engineer, PMGSY (JKRRDA) vide his No. EE/PMGSY/  
POI/1338-39 dated 04-08-2014, placed an indent for leftout 14 Marlas of  
land coming under the alignment of Reshnagri Check-i-Ismailwani road.

Accordingly, the Tehsildar was directed to prepare Shajra Khasra and other allied revenue papers, for the said quantum of land vide this office letter No. DCDS/LAC/15/56 dated 26-02-2015. The Tehsildar, Shopian vide his No. 156/OQ/Spn dated 12-05-2015, submitted the attested Shajra Khasra along with other allied revenue papers duly authenticated by the Indenting Department, Assistant Executive Engineer, PMGSY (JKRRDA) Sub-Division-1st, Pulwama.

In exercise of powers vested in me under section 4 (1) of State Land Acquisition Act, 1990, I, Riyaz Ahmad Beigh, KAS, Collector, Land Acquisition (Assistant Commissioner, Revenue), Shopian, do hereby notify the land, particulars of which are given below, for its acquisition for the public purpose namely construction of Reshnagri Check-i-Ismailwani road.

Particulars of land

District	Tehsil	Village	Khasra No.	Area
<hr/>				K. M. S.
Shopian	Shopian	Reshnagri	583 Min	00-14-00

All the concerned persons interested in the land under acquisition, may file their objections, if any, to the said acquisition before the undersigned within a period of 15 days, from the date of issuance of this notification.

(Sd.) RIYAZ AHMAD BEIGH, KAS,

Collector, Land Acquisition,  
Assistant Commissioner, Revenue,  
Shopian.

\_\_\_\_\_

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE DEPUTY COMMISSIONER,  
SHOPIAN.

Notification of land under section 4 (1) of State Land Acquisition Act,  
1990.

Subject :—Acquisition of land for widening of Shopian-Bijbehara road  
from Sangaloo Chowk to Habdipora Crossing.

-----  
The Executive Engineer, R&B Division, Shopian, placed an indent vide his letter No. LC/19/2237 dated 08-06-2015, for acquisition of land for the widening of Shopian-Bijbehara road from Sangaloo Chowk to Habdipora crossing for land measuring 05 Kanals 03 Marlas and 06 Sersais (for Phase 1st) and accordingly, the Tehsildar, Shopian was directed to prepare the Shajra Khasra and other allied revenue papers. The Tehsildar, Shopian vide his letter No. 206/OQ/Spn dated 25-05-2015, submitted the duly attested Shajra Khasra and other allied revenue papers for land measuring 05 Kanals 03 Marlas 06 Sersais as per the alignment of Indenting Department.

The indenting Department (Executive Engineer, R&B Division, Shopian) vide his letter No. LC/19/5041-45 dated 28-07-2015 submitted the authenticated Shajra Khasra along with other allied revenue papers.

Therefore, in exercise of powers vested in me under section 4 (1) of J&K State Land Acquisition Act, 1990, I, Riyaz Ahmad Beigh, KAS, Collector, Land Acquisition (Assistant Commissioner, Revenue), Shopian, do hereby notify the land, particulars of which are given below, for its acquisition for the public purpose, namely widening of Shopian-Bijbehara road from Sangaloo Chowk to Habdipora Crossing (Phase 1st) :—

Particulars of land

District	Tehsil	Village	Khasra Nos.	Area
1	2	3	4	5
				K. M. S. Sq. Feet
Shopian	Shopian	Hergam	187	00-07-07-04.5
			190	00-03-00-16.0

1	2	3	4	5
				K. M. S. Sq. Feet
		191		00-02-02-19.0
		197		00-02-00-02.0
		198		00-03-00-24.0
		199		00-03-05-23.0
		200		00-02-03-25.0
		532		00-01-01-05.0
		598/532		00-01-06-11.5
		686/532		00-03-03-03.5
		726/532		00-01-04-07.0
		711/532		00-03-08-10.0
		716/532		00-01-06-26.0
		839/532		00-00-07-22.0
		878/532		00-02-07-09.5
		898/532		00-00-07-16.5
		911/532		00-00-06-11.0
		914/532		00-01-00-04.0
		943/532		00-00-07-28.5
		944/532		00-01-03-14.0
		980/532		00-09-04-23.0
		1376/532		00-00-05-29.0
		1381/532		00-00-03-29.0
		1385/532		00-00-07-08.0
		1386/532		00-00-03-17.0
		1395/532		00-00-07-08.5
		1436/1313/532		01-16-03-21.0

1	2	3	4	5
				K. M. S. Sq. Feet
1439/1313/532				00-00-05-29.0
201 min				00-07-07-20.0
Total				05-03-06-00.0

All the concerned persons interested in the land under acquisition, may file their objections, if any, to the said acquisition before the undersigned within a period of 15 days from the date of issuance of this notification.

(Sd.) RIYAZ AHMAD BEIGH, KAS,

Collector, Land Acquisition,  
Assistant Commissioner, Revenue,  
Shopian.

IN THE COURT OF SPECIAL MUNICIPAL MOBILE  
MAGISTRATE, JAMMU.

Present : Ashwani Kumar Sharma

State through P/S, Pacca Danga, Jammu

Vs.

Dilbag Singh S/o Satwant Singh R/o Palanwala, Tehsil Akhnoor.

FIR No. 207/94 for the offences under section 294 RPC of  
P/S, Pacca Danga, Jammu.

Proclamation under section 87 Cr. P. C.

Whereas, the proceeding under section 87 Cr. P. C. are pending against the accused before this court from 18-12-2013 but the accused has failed to cause his appearance before this court so far.

Through the medium of this proclamation accused is directed to cause his appearance before this court within 30 days from the date of publication of this proclamation failing which proceeding under section 87/88 Cr. P. C. shall be launched against the accused and the property of the accused both movable and immovable shall be attached. Put up on 26-08-2015.

Given under my hand and seal of this court today on 6th June, 2015.

(Sd.).....

Special Municipal Mobile Magistrate,  
Jammu.

---

IN THE COURT OF SPECIAL MUNICIPAL MOBILE  
MAGISTRATE, JAMMU.

Present : Ashwani Kumar Sharma

State through P/S, Bahu-Fort, Jammu

Vs.

Ghulam Hussain S/o Sher Ali R/o Angralla, Tehsil Mahore,  
District Udhampur, A/P Rakh Bahu.

FIR No. 2/01 for the offences under section 451/323 RPC.

Proclamation under section 87 Cr. P. C.

Whereas, the proceeding under section 87 Cr. P. C. are pending against the accused before this court from 28-05-2005 but the accused has failed to cause his appearance before this court so far.

Through the medium of this proclamation accused is directed to cause his appearance before this court within 30 days from the date of publication of this proclamation failing which proceeding under section 87/88 Cr. P. C. shall be launched against the accused and the property of the accused both movable and immovable shall be attached. Put up on 20-08-2015.

Given under my hand and seal of this court today  
on 02-06-2015.

(Sd.).....

Special Municipal Mobile Magistrate,  
Jammu.

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE DEPUTY COMMISSIONER,  
SRINAGAR.

Notification

Whereas, the land specifications of which are given below is required for public purpose namely “Construction of Drainage at Kursoo Padshahi Bagh, Tehsil South”, Srinagar ;

Whereas, notification as required under sub-section (1) of section 4 of the Land Acquisition Act, 1990 Svt. was issued by District Collector, Srinagar vide his No. DCS/LAS/1233/70-79 dated 11-06-2014 ;

Whereas, Government has delegated powers of authorization and declaration under sections 6&7 of the Land Acquisition Act, 1990 Svt. under SRO-235 dated 11-08-2009 ;

Whereas, the land is required for public purpose viz. “Construction of Drainage at Kursoo Padshahi Bagh, Tehsil South”, Srinagar, the specification of which are given below :—

Specifications

District	Tehsil	Estate/ Mouza	Khasra No.	Area
Srinagar	South Srinagar	KP Bagh	167	K. M. S. 00-05-92

Now, therefore, it is hereby declared under section 6 of the said Act, that the land aforementioned is required for public purpose. Further, the Collector, Land Acquisition (Assistant Commissioner, Revenue), Srinagar is directed under section 7 of the said Act, to take proceedings with acquisition of the land specifications which are given above.

(Sd.).....

District Collector,  
Deputy Commissioner,  
Srinagar.

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE DEPUTY COMMISSIONER,  
GANDERBAL.  
(Mini Secretariat)

Subject :—Acquisition of additional land for widening of SSG Road in Estate Kangan, Tehsil Kangan.

In exercise of the powers vested in me under section 4 (1) of J&K Land Acquisition Act, Samvat 1990, I, Naseer Ahmad Wani, Collector, Land Acquisition (Assistant Commissioner, Revenue), Ganderbal do hereby notify that the land particulars of which are given below for public purpose namely widening of SSG road in Estate Kangan, Tehsil Kangan :—

Particulars of land				
District	Tehsil	Village	Survey Nos.	Area Involved
1	2	3	4	5
Ganderbal	Kangan	Kangan	261 min	K. M. S. 00-03-4½



1	2	3	4	5
				K. M. S.
			1455/262	00-11-00
			281	00-06-02
			280	00-11-06
			1149/917	00-12-00
			906 min	01-13-06
			1297/920	00-11-06
			250	00-07-03
			1755/472 min	00-00-06
			1756/472	00-01-00
			1164/940/910	00-03-00
			507 min	00-16-06
			Total	05-18-3½

Having notified the land above, objections, if any, in terms of sections 5&5 (A) of the J&K Land Acquisition Act, Samvat 1990 shall be filed by the land owners/other interested persons before the undersigned within fifteen days from the publication of this notification in the Print Media. No objections shall be entertained after the stipulated time.

(Sd.).....

Collector, Land Acquisition,  
Assistant Commissioner (Rev.),  
Ganderbal.

-----

GOVERNMENT OF JAMMU AND KASHMIR,  
COMMERCIAL TAXES DEPARTMENT,  
OFFICE OF THE COMMERCIAL TAXES OFFICER,  
KARGIL, LADAKH.

Notification No. 03 of 2015

Dated 19-05-2015.

It has been reported by M/s. Haidary Construction Company, Baroo Colony, Kargil bearing TIN 0118-301-1449 that he has lost a blank declaration C-Form and the matter stands published in the "Kashmir Times dated 03-06-2014". The dealer has also furnished an indemnity bond in this regard which is placed on record file. The detail of lost C-Form is as under :—

S. No.	C-Form No.	Status
01.	04V-682479	Blank

Accordingly, the above detailed C-Form is declared as invalid and obsolete for the purpose of section 8 (4) of the CST Act, 1956 and the dealers are cautioned against accepting the said forms for the purpose of trade and finder, if any, may please return the same to the undersigned.

Any one fraudulently found using the said lost C-Form shall bind himself liable for action in accordance with the provisions of the CST Act, 1956 and the rules framed thereunder.

(Sd.) M. FAROOQ AHMAD,  
Assessing Authority,  
Commercial Taxes  
Circle, Kargil.

\_\_\_\_\_

THE JAMMU AND KASHMIR STATE BOARD OF SCHOOL  
EDUCATION, NEW CAMPUS, BEMINA, SRINAGAR.

Notice for General Public

The candidate whose particulars are mentioned below is claiming to have lost/gutted his Original and as well as Duplicate Qualification Certificate/s issued by J&K State Board of School Education, under Serial Nos. 2012109 & 001264 respectively, with following particulars :—

- |    |               |   |                      |
|----|---------------|---|----------------------|
| 1. | Name          | : | Zahoor Ahmad Khanday |
| 2. | Parentage     | : | Ali Mohd Khanday     |
| 3. | Residence     | : | Gousa Colony, Bemina |
| 4. | Date of Birth | : | 05-09-1985           |
| 5. | Roll No.      | : | 824496               |
| 6. | Session       | : | 2003, Annual         |
| 7. | Result        | : | Passes               |

Now, the candidate has applied for “2nd Duplicate Qualification Certificate”. Before, the same is processed and provided to the concerned candidate, any person/s having any objections in this regard, may please file the same before the Secretary, BOSE or to the undersigned within a period of seven days from the date of issue of this notice.

Besides, the above referred “Both Qualification Certificates” be treated as cancelled.

(Sd.).....

Assistant/Deputy Secretary,  
(Certificates), K. Division.

-----

NOTICE

I, Manisha Devi D/o Narinder Kumar R/o Main Chowk, Chinore, Roop Nagar, Jammu wants to correct the name of my father in my 10th Class (Session 2000, Roll No. 2130648) and 12th Class (Session 2002, Roll No. 2229676) Mark Sheets of CBSE Board. The correct name of my father is Narinder Kumar whereas wrongly spelled as Narindra Kumar in all my above documents. So objections, if any, regarding name correction as Narinder Kumar may be filed to the concerned authorities.

---

NOTICE

I have lost my I. T. I. Certificate under Roll No. 1816, Session July, 1983. Now, I am applying for its duplicate. If anybody has any objection in this regard he/she may contact I. T. I., Srinagar within seven days from the publication of this notice after that no objection will be entertained.

ROSHAN LAL BHAT,  
S/o Radha Krishan Bhat  
R/o Zewan,  
P/O Pantha Chowk,  
District Srinagar.

---

NOTICE

I, Rifat Khan W/o Sajad Khan D/o Ghulam Nabi Basu R/o Bul-Bul, Lanker, Nawa Kadal, Srinagar wants to correct the name of my father as Ghulam Nabi Basu instead of Ghulam Nabi Khan which is wrongly written in application form and actual date of birth is 11th January, 1972 instead of 11th January, 1970 as per Income Tax Department record. Any person having any objection in this regard may kindly be conveyed to the concerned UTIITSL, PAN Section, Navi Mumbai within seven days from the publication of this notice.

-----

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE DEPUTY COMMISSIONER,  
GANDERBAL.  
(Mini Secretariat)

Subject :—Acquisition of land for upgradation/widening of Beehama-Safapora Road in Estate Pahlipora, Tehsil Lar, District Ganderbal.

Reference :—1. Executive Engineer (R&B) Division, Ganderbal letter No. 2934-35 dated 20-05-2015.

2. Tehsildar Lar Office letter No. 578/OQ/TL dated 29-03-2015.

In exercise of the powers vested in me under section 4 (1) of J&K Land Acquisition Act, Samvat 1990, I, Naseer Ahmad Wani, Collector, Land Acquisition (Assistant Commissioner, Revenue), Ganderbal do hereby notify that the land particulars of which are given below for public purpose namely widening of Beehama-Safapora Road in Estate Pahlipora, Tehsil Lar, District Ganderbal —

Particulars of land				
District	Tehsil	Village	Survey Nos.	Area involved
Ganderbal	Lar	Pahlipora	420 min	K. M. S. 00-00-05
			422 min	00-12-00
			425	00-14-08
			427 min	00-04-1½
			454	00-08-04
			429	01-04-2½
			Total	02-04-03

Having notified the land above, objections, if any, in terms of sections 5&5 (A) of the J&K Land Acquisition Act, Samvat 1990 shall be filed by the land owners/other interested persons before the undersigned within fifteen days from the publication of this notification in the Print Media. No objections shall be entertained after the stipulated time.

(Sd.).....

Collector, Land Acquisition,  
Assistant Commissioner (Rev.),  
Ganderbal.

---

#### CORRECTION OF NAME

The name of my father in my class 10th certificate (under Roll No. 2255743, Registration No. C113/24026/0008 of Session 2011-2013) has been erroneously written as Samadulla Mir while as his actual name stands for Abdul Samad Mir. Now, I have applied for its correction. Anybody having objections may file the same to Kendra Vidyalaya School, Gulmarg, Baramulla within 7 days from the date of publication of this notice. No objection shall be accepted after that.

Mohammad Rafiq Mir  
S/o Abdul Samad Mir  
R/o Ratnipora, Tangmarg,  
District Baramulla.



**THE  
JAMMU AND KASHMIR GOVERNMENT GAZETTE**

---

Vol. 128] Srinagar, Thu., the 27th Aug., 2015/5th Bhad., 1937. [ No. 22

---

Separate paging is given to this part in order that it may be filed as a separate compilation.

---

**ADVERTISEMENTS-C**

GOVERNMENT OF JAMMU AND KASHMIR,  
DIRECTORATE OF STATIONERY AND OFFICE SUPPLIES,  
J&K, SRINAGAR.

Abbreviated Tender Notice

Sealed tenders affixed with Revenue Stamps worth Rs. 5/- (Rupees five only) are invited for and on behalf of the Governor of Jammu and Kashmir for Rate Contract of Lifting of Waste Paper for Jammu Division only for the year 2015-16 as per below mentioned schedule :—

Tender Notice No. & Date	Cost of Tender	Last Date for Sale of Tender	Last Date for Receipt of Tender	Likely to be opened on
Rate Contract for Lifting of Waste Paper for Jammu Division NIT No. DSS/CPC/29 of 2015 dated 07-08-2015	Rs. 100/- (Rupees one hundred only)	28-08-2015 up to 2.00 P. M.	01-09-2015 up to 1.00 P. M.	02-09-2015 11.30 A. M.

The detailed tender notice containing terms and conditions of the aforesaid NIT's can be had from the Office of the Assistant Director, Stationery and Office Supplies, Kachi Chawani, Jammu.

(Sd.) KHILARI LAL,

Member-Secretary,  
Central Purchase Committee Dte.  
of Sty. and Govt. Presses  
, Jammu/Srinagar,  
J&K, Srinagar.



SUPPLEMENTARY—C

---

GOVERNMENT OF JAMMU AND KASHMIR,  
OFFICE OF THE GENERAL MANAGER,  
GOVERNMENT PRESS, SRINAGAR.

Short Tender Notice

Sealed short term tenders affixed with revenue stamps of Rs. 6/- are invited from the interesting parties for providing and fitting of new self (lucas-TVS-130 PE), 24 Volts D. C. for 160 KVA Generating Set. The tenders should reach the office of the undersigned by or before 26-08-2015 up to 1.00 P. M. Tenders are likely to be opened on the same day by this department. The interesting parties should quote their rates including providing and fitting F. O. R. Government Press, Srinagar and inclusive of all charges and taxes. The payment to the approved tenderer shall be made after completion of job subject to verification by the department. The successful tenderer shall have to complete the job within 10 days. Before submission of tenders, the interesting parties are advised to inspect the job on any working day during office hours and deposit Rs. 50/- non-refundable in this press as tender cost up to 26-08-2015 till 12 Noon. The Purchase Committee of this department reserves the right to accept or reject any or all tenders without assigning any reasons thereof. The tenderer shall be personally wholly and solely responsible for reasonability of rates. The interesting parties are requested to attach a CDR minimum of 2% of their respective offers duly pledged to General Manager, Government Press, Srinagar. The approved tenderers shall have to furnish Guarantee/Warranty for satisfactory working as per manufacturing company.

(Sd.) .....

General Manager.



رجسٹرڈ نمبر جے کے۔33

# جموں کشمیر گورنمنٹ گزٹ

جلد نمبر 128- سرینگر- مورخہ 27 اگست 2015ء بمطابق 5 بھادرا 1937 ویروار- نمبر 22

## اِستِہارات

از عدالت تھرڈ ایڈیشنل سیشن جج سرینگر

سرکار بنام محمد مقبول لون وغیرہ (ملزمان)

علت نمبر 153 سال 2003ء، تھانہ پولیس صدر

بجرائم زیر دفعات: 364,392,201/120-B/RPC,7/25 RPC

وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزم: محمد مقبول لون ولد علی محمد لون ساکنہ و سکھو کراہ پورہ کپواڑہ

معاملہ مندرجہ عنوان اُلصدر میں ملزمان کے خلاف چالان و دفعات جرائم بالا پیش عدالت ہذا ہوا ہے اور آپ ملزم صدر کے خلاف متعدد وارنٹ ہا اجراء ہوئی ہے۔  
اِلا آپ ملزم صدر کی دستیابی احسن طریقے سے ممکن نہ ہو سکی۔

لہذا ملزم صدر کے خلاف وارنٹ گشتی عام زیر دفعہ 512 ض ف اجراء کی جاتی ہے اور اہلکاران پولیس جموں و کشمیر کو حکم و اختیار دیا جاتا ہے کہ ملزم صدر کو گرفتار کر کے ہمارے روبرو عدالت ہذا میں دفتری اوقات میں پیش کریں۔ وارنٹ ہذا تا دستیابی ملزم زیر کار رہیں۔ تحریر 22-07-2015

دستخط : تھرڈ ایڈیشنل سیشن جج سرینگر۔

از عدالت سپیشل جج اینٹی کرپشن ڈسٹرکٹ اینڈ سیشن جج جموں  
پراونس جموں

سرکار بنام ہنس راج ورما وغیرہ

مشل نمبر 04 / چالان، دائرہ 07-08-2014، فیصلہ 18-04-2015

علت نمبر 06 سال 1992 تھانہ پولیس کرائم برانچ جموں

جرائم زیر دفعات : 420/467/468/477-A/409/109

120-B/R.P.C and 5(2)P.C.Act.

## وارنٹ گشتی عام زیر دفعہ 512 ض ف

بخلاف ملزمان: Hans Raj Verma S/o Late, Pritam Chand R/o Raj  
Pura Mangotrian Jammu, the then Store Keeper, Cum-  
Asstt. Accounts Manager J&K State Co-op. Consumer  
Federation Ltd. Regional Office Jammu .

بمقدمہ مندرجہ عنوان اُلصدر میں ملزم صدر کے خلاف بروئے حکم امروزہ  
کارروائی زیر دفعہ 512 عمل میں لائی جا چکی ہے اور ملزم کے خلاف وارنٹ جاری  
کرنے کا حکم ہوا ہے جو کہ جاری کیا جاتا ہے لہذا آپ کو اصل وارنٹ گشتی گرفتاری عام  
زیر دفعہ 512 ض ف کی رو سے حکم و اختیار دیا جاتا ہے کہ اگر ملزم مذکور متذکرہ صدر  
اندر حدود ریاست جموں و کشمیر جب کبھی اور جہاں کہیں بھی دستیاب ہوا تو اُس کے  
تحت ضابطہ گرفتار کر کے عدالت ہذا میں پیش کیا جاوے۔ وارنٹ ہذا دستاویزی ملزم زیر  
کار رہے گا۔ تحریر 18-04-2015

دستخط: سپیشل جج اینٹی کرپشن ڈسٹرکٹ اینڈ سیشن جج جموں پراونس جموں۔

از عدالت سیکنڈ ایڈیشنل ڈسٹرکٹ اینڈ سیشن جج سرینگر

سرکار بنام (1) طالب حسین گوجر ولد محمد شفیع گوجر ساکنہ رہان کورٹ رنکا بلوری  
راجوری (2) محمد اسلم بکروال بیڈا والہ ولد محمد ایوب ساکنہ لیہر بومی ہاملا ریاسی۔

مشل نمبر II Session 27/، تاریخ دائرہ 17-10-2008

علت نمبر 59 سال 2008ء تھانہ پولیس نکلین

بجرائم زیر دفعات RPC / 363,376,109

وارنٹ گرفتاری عام زیر دفعہ 512 ض ف : بخلاف ملزمان صدر

مقدمہ مندرجہ عنوان اُصدر میں ملزمان متذکرہ صدر عرصہ دراز سے غیر حاضر چلا آ رہا ہے، اس کو بارہا بطریق معمول طلب کیا گیا ہے۔ الا هنوز دستیاب نہ ہوا تعمیل کنندہ نے اپنے رپورٹ میں تحریری طور اظہار کیا کہ ملزمان مذکور کا کوئی اتہ پتہ نہ ہے اور اُس کی دستیابی ناممکن ہے فاضل ایڈیشنل پبلک پراسیکیوٹر نے اپنے بیان میں سر اجلاس اظہار کیا کہ ملزمان مذکور مفروہ ہے۔ اس طور عدالت ہذا کو اطمینان ہوا ہے کہ ملزمان کو بطریق معمول طلب کرنا ناممکن ہے۔

لہذا حکم ہوا کہ ملزم متذکرہ صدر اندر حدود ریاست جموں و کشمیر جہاں کہیں بھی دستیاب ہوا سے گرفتار کر کے عدالت ہذا میں پیش کریں۔ درج رہے کہ وارنٹ ہذا تا دستیابی ملزمان زیر کار رہے گا۔ تحریر اُصدر 25-02-2015

دستخط :-

سیکنڈ ایڈیشنل ڈسٹرکٹ اینڈ سیشن جج سرینگر۔

.....

EXTRAORDINARY

REGD. NO. JK—33

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

—————  
GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Srinagar, the 23rd July, 2015.

SRO-233.—In exercise of the powers conferred by clause (o) of sub-section (1) of section 4 of the Code of Criminal Procedure, Samvat 1989, and in partial modification of previous notification(s) issued on the subject, the Government hereby exclude the areas of Village Sadoora from the jurisdiction of Police Station, Qazigund, District Kulgam and include the same under the jurisdiction of Police Station, Anantnag, District Anantnag.

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,  
Principal Secretary to the Government,  
Home Department.

EXTRAORDINARY

REGD. NO. JK—33

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

---

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—GENERAL ADMINISTRATION  
DEPARTMENT

Notification

Srinagar, the 23rd July, 2015.

SRO-234.—In exercise of the powers conferred by sub-section (1) of section 129 of the Constitution of Jammu and Kashmir, the Governor is pleased to appoint Mr. Abdul Latief Deva, as Chairman of the Jammu and Kashmir Public Service Commission.

By order of the Governor.

(Sd.) GAZZANFER HUSSAIN,  
Commissioner/Secretary to the Government,  
General Administration Department.

EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Thu., the 23rd July, 2015/1st Srav., 1937. [No. 17-c

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

---

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—GENERAL ADMINISTRATION  
DEPARTMENT

Notification

Srinagar, the 23rd July, 2015.

SRO-235.—In exercise of the powers conferred by sub-section (1) of section 129 of the Constitution of Jammu and Kashmir, the Governor is pleased to appoint the following persons as members of the Jammu and Kashmir Public Service Commission :—

1. Mr. Tashi Dorjee
2. Mr. Lal Chand



3. Mr. Jaipal Singh
4. Mr. Ali Asgar Choudhary
5. Prof. (Dr.) Posh Charak
6. Prof. Mushtaq Ahmad Wani
7. Mr. Mushtaq Ahmed Lone
8. Mr. Suresh Kumar Sharma

By order of the Governor.

(Sd.) GAZZANFER HUSSAIN,  
Commissioner/Secretary to the Government,  
General Administration Department.

EXTRAORDINARY

REGD. NO. JK—33

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—SCHOOL EDUCATION DEPARTMENT

Notification

Srinagar, the 23rd July, 2015.

SRO-236.—In exercise of the powers conferred by sub-section (1) of section 12 of the Jammu and Kashmir Board of School Education Act, 1975 (Act No. XXVIII of 1975), and in supersession of all the previous notifications issued on the subject, the Government hereby appoints Prof. Zahoor Ahmad Chatt, Principal, Amar Singh College, Srinagar as Chairman of the Jammu and Kashmir Board of School Education for a period of three years.

By order of the Government of Jammu and Kashmir.

(Sd.) SHALEEN KABRA,  
Commissioner/Secretary to the Government.

EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Fri., the 24th July, 2015/2nd Srav., 1937. [No. 17-e

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—HOUSING AND URBAN  
DEVELOPMENT DEPARTMENT

Notification

Srinagar, the 24th July, 2015.

SRO-237.—In exercise of the powers conferred by sub-section (1) of section 3 of the Jammu and Kashmir Development Act, 1970 (XIX of 1970), the Government hereby declare the area specified in Annexure to

this notification to be the local area for the purposes of the said Act and constitute therefore a authority to be known as “Shopian Development Authority”.

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Commissioner/Secretary to Government.  
Housing and Urban Deoelopment Department.

-----

*Annexure "A" to Notification SRO-237 dated 24th July, 2015.*

**(For Master Plan, Shopian)**

S. No.	Town/Village Settlements	Khasra Number
1	2	3
<hr/>		
M. C. Limit, Shopian :		
1.	Hergam	1-1431
2.	Batapora	1-1450
3.	Bongam	1-1281
Revenue Village outside M. C Limits :		
1.	Arahama	1-259
2.	Habdpora	1-200
3.	Pahanoo	1-556
4.	Aglar	1-312
5.	Pinjora	1-2300
6.	Ganowpora Arsh	1-631
7.	Largam	1-255
8.	Lawahind	1-459
9.	Memandar	1-1220
10.	Gagren	1-450
11.	Cheki Shamsi Pora	1-100
12.	Gund-i-Hadoo	1-595
13.	Chowgam	1-290

1	2	3
14.	Hirpora	1-2978
15.	Kanipora	1-200
16.	Dagam	1-332
17.	Sherabad	1-274
18.	Kanipora	1-329

EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Mon., the 27th July, 2015/5th Srav., 1937. [No. 17-f

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

---

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

---

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—HOUSING AND URBAN  
DEVELOPMENT DEPARTMENT

Notification

Srinagar, the 27th July, 2015.

SRO-238.—In exercise of the powers conferred by section 4 of the Jammu and Kashmir Development Act, 1970 (XIX of 1970), the Government hereby appoint the following as members of the Shopian Development Authority, constituted vide Notification SRO-237 dated 24th July, 2015 :—

1. Hon'ble Minister for Housing and Urban      Chairman  
Development Department

- |     |  |                  |
|-----|--|------------------|
| 2.  | Member Legislative Assembly, Shopian   | Member           |
| 3.  | District Development Commissioner,<br>Shopian (CEO, Shopian Dev. Authority)                      | Member-Secretary |
| 4.  | Director, Urban Local Bodies Kashmir   | Member           |
| 5.  | Chief Town Planner, Town Planning<br>Organization, Kashmir                                       | Member           |
| 6.  | Regional Director, Directorate of<br>Environment and Remote Sensing                              | Member           |
| 7.  | Conservator of Forests (South Kashmir)   | Member           |
| 8.  | President/Administrator, Municipal<br>Council, Shopian   | Member           |
| 9.  | Superintending Engineer, R&B, Shopian  | Member           |
| 10. | Superintending Engineer, PHE, Shopian  | Member           |
| 11. | Superintending Engineer, EM & RE,<br>Shopian   | Member           |
| 12. | Executive Engineer, Town and<br>Drainage Division, Directorate of<br>Urban Local Bodies, Kashmir | Member           |

By order of the Government of Jammu and Kashmir.

(Sd.) .....

Commissioner/Secretary to Government.  
Housing and Urban Development Department.



EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Wed., the 29th July, 2015/7th Srav., 1937. [No. 17-g

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

---

**PART III**

**Laws, Regulations and Rules passed thereunder.**

---

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—HOME DEPARTMENT

Notification

Srinagar, the 29th July, 2015.

SRO-239.—In exercise of powers conferred by section 22 of the Jammu and Kashmir Requisitioning and Acquisition of Immovable Property Act, 1968, the Government hereby direct that for sub-rule (2-A) of rule 9 of the Jammu and Kashmir Requisitioning and Acquisition of Immovable Property Rules, 1969, the following shall be substituted, namely :—

“(2-A) In determining the compensation of agricultural and other lands under clause (a) of sub-section (2) of section 8 of the Act, the Competent Authority shall have regard to the following

rates of rent with effect from 16-02-2013, which the Government consider minimum for different categories of land in the State :—

S. No.	Category of land	Rate of rent per kanal per annum
1.	Class-I :	Rs. 5,578.00
	(a) Irrigated	
2.	Class-II :	
	(a) Irrigated	Rs. 4,800.00
	(b) Unirrigated	Rs. 2,293.00
3.	Class-III :	
	(a) Uncultivable	Rs. 1,476.00
4.	Fruit Bearing Orchard	Rs. 10,500.00
5.	Land falling under Jammu Municipal Corporation/Srinagar and Jammu/Srinagar Cantonments areas	Rs. 35,438.00
6.	Lands falling under Municipal Councils (including Poonch Municipal Council)	Rs. 17,719.00
7.	Lands falling under Municipal Committees	Rs. 14,175.00

By order of the Government of Jammu and Kashmir.

(Sd.) R. K GOYAL, IAS,

Principal Secretary to Government.  
Home Department.

**PART III**

**Laws, Regulations and Rules passed thereunder.**

GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—HOSPITALITY AND PROTOCOL  
DEPARTMENT

Notification

Srinagar, the 29th July, 2015.

SRO-240.—In exercise of the powers conferred by the proviso to section 124 of the Constitution of Jammu and Kashmir, the Governor hereby makes the following amendment in Schedule-I of the Jammu and Kashmir Hospitality and Protocol (Subordinate) Service Recruitment Rules, 2008 :—

“Entry 24 and entry 34 shall be substituted by the following entries, namely :—

S. No.	Designation of the post	Pre-revised Pay Scale	Corresponding Revises Pay Scale/ Pay Band+Grade Pay	No. of posts
24.	Butler	4000-6000	5200-20200+GP 2400	08
34.	Table Boy	3050-4910	5200-20200+1900	30

By order of the Governor.

(Sd.) .....

Principal Secretary to Government,  
Hospitality and Protocol Department.

EXTRAORDINARY

REGD. NO. JK—33

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

—————  
GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Srinagar, the 29th July, 2015.

SRO-241.—In exercise of the powers conferred by clause (a) of section 9 of the Stamps Act, Svt. 1977 (XL of 1977), the Government hereby remit the stamp duty chargeable under the said Act for an amount up to rupees three lacs in case of the loans advanced by the Financial Institutions to Self Help Groups under National Rural Livelihood Mission under the scheme UMEED.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Commissioner/Secretary to Government,  
Finance Department.

EXTRAORDINARY

REGD. NO. JK—33

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

—————  
GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—FINANCE DEPARTMENT

Notification

Srinagar, the 29th July, 2015.

SRO-242.—In exercise of the powers conferred by sub-section (2) of section 3 of the Jammu and Kashmir Entry Tax on Goods Act, 2000 (Act No. IV of 2000), the Government hereby exempt from payment of entry tax, leviable under the said Act, the Bio-Toilet samples donated free of cost to be imported into the State by the Public Works (R&B) Department for Government use.

By order of the Government of Jammu and Kashmir.

(Sd.) NAVIN K. CHOUDHARY, IAS,

Commissioner/Secretary to Government,  
Finance Department.

EXTRAORDINARY

REGD. NO. JK—33

**PART I—B**

**Jammu and Kashmir Government—Notifications.**

—————  
GOVERNMENT OF JAMMU AND KASHMIR  
CIVIL SECRETARIAT—REVENUE DEPARTMENT

Notification

Srinagar, the 30th July, 2015.

SRO-243.—In exercise of the powers conferred by clause (b) of section 3 of the Jammu and Kashmir Grant of Permanent Resident Certificate (Procedure) Act, 1963 (Act No. XIII of 1963), and in supersession of all the notifications issued in this behalf, the Government hereby appoint Mr. Mohammed Mumtaz Ali (KAS), Additional Deputy Commissioner, Rajouri to be the competent authority for purposes of the said Act, within the territorial jurisdiction of Sub-Divisions of Nowshera and Sunderbani of District Rajouri.

By order of the Government of Jammu and Kashmir.

(Sd.) MUHAMMED AFZAL, IAS,

Secretary to Government,  
Revenue Department.



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Fri., the 24th July, 2015/2nd Asad., 1937. [No. 17-2

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

---

**PART III**

**Laws, Regulations and Rules passed thereunder.**

JAMMU AND KASHMIR STATE ELECTRICITY REGULATORY  
COMMISSION, SRINAGAR.

Notification No. 43-JKSERC of 2015 dated 10-07-2015.

**JKSERC (Terms and Conditions of Intra-State Open Access)  
Regulations, 2015.**

In exercise of the powers conferred by section 138, read with sections 33, 34, 36 and 71 of the Jammu and Kashmir Electricity Act, 2010 (Act XIII of 2010) and all other powers enabling it in this behalf, the Jammu and Kashmir State Electricity Regulatory Commission (J&K SERC) hereby makes the J&K SERC (Terms and Conditions of Intra-State Open Access) Regulations in replacement of J&K SERC (Open Access in Intra-State

Transmission and Distribution) Regulations notified on 25th January, 2006.  
Following are the details of new regulations :—

## CHAPTER 1

### **Preliminary**

1. *Short title, extent and commencement.*—(1) These regulations may be called the Jammu and Kashmir State Electricity Regulatory Commission (Terms and Conditions of Intra-State Open Access) Regulations, 2015.

(2) These regulations shall come into force from the date of publication in the Government Gazette.

2. *Scope.*—These regulations shall apply to open access for use of Intra-State transmission system and distribution systems in the State, including when such system is used in conjunction with Inter-State transmission system.

3. *Definitions.*—In these regulations, unless the context otherwise requires,—

- (1) “Act” means the Jammu and Kashmir State Electricity Act, 2010 (Act No. XIII of 2010) ;
- (2) “Allotted Capacity” means the power transfer in MW between the specified point(s) of injection and point(s) of drawal allowed to a long-term/medium-term customer on the Intra-State transmission system and the expression “allotment of capacity” shall be construed accordingly ;
- (3) “Applicant” means a consumer, trader, distribution licensee or a generating station who has applied seeking connectivity or open access as the case may be ;



- (4) “Central Commission” means the Central Electricity Regulatory Commission referred to in section 76 of the Indian Electricity Act 2003 ;
- (5) “Commission” means the Jammu and Kashmir State Electricity Regulatory Commission referred to in section 64 of the Act ;
- (6) The word “consumer” shall carry the same meaning as in the Act, but shall be restricted to such consumers within the State of Jammu and Kashmir to whom these regulations will apply ;
- (7) “Contracted load” means the load in kW/HP/kVA (kilo Watt/ Horse Power/kilo Volt Ampere) which the distribution licensee has agreed to supply from time to time subject to the governing terms and conditions and is different from the connected load ;
- (8) “Composite Operating Charges or Operating Charges” means the charges payable by an Open Access Customers for each transactions to the SLDC as determined by the Commission and includes the fee for scheduling, system operation, energy accounting, fee for effecting revision in schedule on *bona fide* grounds and collection and disbursement of charges ;
- (9) “Day” means a day starting at 0000 hours and ending at 2400 hours ;
- (10) “Distribution licensee” means any person licensed under section 14 of the Act for distribution and retail supply of electricity in the State of Jammu and Kashmir ;
- (11) “Distribution System” means a system or wires and associated facilities between delivery points on the transmission lines or generating station and the point of connection to the installation of the consumers ;

- (12) “Embedded open access consumer (or in short embedded consumer)” means consumer who has a supply agreement with the distribution licensee in whose area of supply the consumer is located and avails the option of drawing part or full of its demand from any other person under open access, in any one or more time slots during a day or more, in any month or more during the year, without ceasing to be a consumer of the said distribution licensee and continues to pay monthly demand charges and other charges as per rate schedule applicable to relevant category ;
- (13) “IEGC” means Indian Electricity Grid Code Specified by Central Electricity Regulatory Commission under clause (h) of sub-section (1) of section 79 of the Indian Electricity Act, 2003 and as amended from time to time ;
- (14) “Imbalance” in a time block for a generating station means its total actual generation minus its total scheduled generation and for a consumer or buyer means its total drawal minus its total scheduled drawal ;
- (15) “Limited short-term open access consumer” means consumer who has a supply agreement with the distribution licensee in whose area of supply the consumer is located and avails open access in distribution and/or transmission system only during pre-scheduled load shedding due to shortage of power ;
- (16) “Long-term access” means the right to use the Intra-State transmission system or distribution system for a period exceeding 12 years but not exceeding 25 years ;
- (17) “Medium-term open access” means the open access for a period exceeding three months but not exceeding three years ;
- (18) “Month” means a calendar month as per the Gregorian Calendar ;

- (19) “Nodal agency” means the nodal agency defined in Regulation 13(2) of these regulations ;
- (20) “Open access” means the non-discriminatory provision for the use of transmission lines or distribution system or associated facilities with such lines or system by any licensee or consumer or a generating station in accordance with these regulations and includes long-term access, medium-term open access and short-term open access ;
- (21) “Open access customer (in short customer)” means a consumer, trader, distribution licensee or a generating station who has been granted open access under these regulations ;
- (22) “Open access consumer” means a consumer, who has been granted open access under these regulations ;
- (23) “Reserved Capacity” means the power transfer in MW between the specified point(s) of injection and point(s) of drawal allowed to a short-term customer on the transmission/ distribution system depending on availability of transmission/ distribution capacity and the expression “reservation of capacity” shall be construed accordingly ;
- (24) “Short-term open access” means open access for a period up to one month at a time ;
- (25) “SLDC” means the State Load Dispatch Centre established under sub-section (1) of section 26 of the Act ;
- (26) “State” means the State of Jammu and Kashmir ;
- (27) “State Grid Code” means the State Grid Code specified by the Commission under clause (h) of sub-section (1) of section 71 of the Act, applicable on the date of commencement of these regulations and as amended from time to time ;

- (28) “State Transmission Utility (STU)” means the Government Company/Corporation notified by the State Government under sub-section (1) of section 33 of the Act ;
- (29) “Transmission licensee” means any person licensed under Part IV of the Act for transmission of electricity in the State of Jammu and Kashmir ;
- (30) “Transmission System Segment” means a part or whole of the transmission system from the point of injection to the point of drawal ;
- (31) “Wheeling” means the operation whereby the distribution system and associated facilities of a transmission licensee or distribution licensee, as the case may be, are used by another person for the conveyance of electricity on payment of charges to be determined under section 56 of the Act ;
- (32) All words and expressions used and not defined in these regulations but defined in the Act or IEGC or the State Grid Code, or Supply Code shall have the meaning assigned to them under the Act or the IEGC or the State Grid Code, or Supply Code as the case may be ;
- (33) The General Clauses Act, 1977 Svt. (Act XX), as amended from time to time shall apply for the interpretation of these regulations as it applies for interpretation of an Act of Legislature.

## CHAPTER 2

### **Connectivity**

4. *Connectivity*.—(1) A consumer having load of 10 MW and above or a generating station having capacity of 10 MW and above shall be eligible to obtain connectivity at 132 kV or above, unless already connected, and shall apply for connectivity, in accordance with the provisions in this chapter.

(2) A consumer having load of less than 10 MW or a generating station having installed capacity not exceeding 10 MW shall be eligible to obtain connectivity at 66 kV/33 kV, unless already connected, and shall apply for connectivity as per the provisions of these regulations, in accordance with the provisions in this chapter.

5. *Application procedure for connectivity at 132 kV or above.*—(1) Applicant shall apply to the STU for connectivity in the form prescribed in the detailed procedure to be laid down by the STU.

(2) The application shall be accompanied by a non-refundable fee of Rs. two lakh through demand draft in favour of State Transmission Utility payable at Jammu/Srinagar.

(3) The application for connectivity shall contain details such as, proposed geographical location of the applicant, quantum of power to be inter-changed that is the quantum of power to be injected in the case of a generating station including a captive generating plant and quantum of power to be drawn in the case of a consumer, with the Intra-State transmission system and such other details as may be laid down by the State Transmission Utility in the detailed procedure :

Provided that in cases where once an application has been filed and thereafter there has been any material change in the location of the applicant or change, by more than 10 per cent in the quantum of power to be inter-changed with the Intra-State transmission system, the applicant shall make a fresh application, which shall be considered in accordance with these regulations.

6. *Processing of application and grant of connectivity to STU/ transmission licensee.*—(1) On receipt of the application, the STU shall, in consultation and through coordination with SLDC and other agencies involved in the Intra-State transmission, process the application and carry out the necessary inter-connection study as specified in the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007, amended up-to-date.

(2) The State Transmission Utility shall, within thirty (30) days, from the receipt of an application under sub-regulation (1) above and after considering all suggestions and comments received from other agencies involved in the Intra-State transmission including State Load Despatch Centre :—

- (a) Accept the application with such modification or such conditions as may be specified by them ;
- (b) Reject the application for reasons to be recorded in writing if such application is not in accordance with the provisions of these regulations.

(3) In case of acceptance of an application as per clause (a) of sub-regulation (2) above, the State Transmission Utility shall make a formal offer to the applicant :

Provided that the State Transmission Utility shall forward a copy of the offer to the appropriate Intra-State transmission licensee in case connectivity is granted to the Intra-State transmission system of an Intra-State transmission licensee other than the State Transmission Utility.

(4) The voltage level at which the applicant is offered to be connected to the Intra-State transmission system shall be governed by Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 and prevailing guidelines adopted by the State Transmission Utility.

(5) The State Transmission Utility shall, upon compliance of the required conditions by the applicant and Intra-State transmission licensees including the State Transmission Utility, shall notify the concerned applicant that it can be connected to the Intra-State transmission system.

(6) The applicant shall sign a connection agreement with the State Transmission Utility or Intra-State transmission licensee owning the

sub-station or pooling station or switchyard or the transmission line as identified by the STU where connectivity is being granted :

Provided that in case connectivity of a generating station, including captive generating plant or consumer is granted to the Intra-State transmission system of an Intra-State transmission licensee other than the State Transmission Utility, a tripartite agreement as provided in the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007 shall be signed between the applicant, the State Transmission Utility and such Intra-State transmission licensee :

Provided further the State Load Despatch Centre shall also be provided with a copy of the above mentioned Connection Agreement by the STU/ Intra-State transmission licensee.

(7) While granting connectivity, the STU shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be granted. In case connectivity is to be granted by looping-in and looping-out of an existing or proposed line, the STU shall specify the point of connection and name of the line at which connectivity is to be granted. The STU shall indicate the broad design features of the dedicated transmission line and the timeframe for completion of the dedicated transmission line.

(8) The applicant and all Intra-State transmission licensees including the State Transmission Utility shall comply with the provisions of Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007. The grant of connectivity shall not entitle an applicant to inter-change any power with the grid unless it obtains long-term access, medium-term open access or short-term open access in accordance with the provisions of these regulations.

(9) A generating station, including captive generating plant which has been granted connectivity to the grid shall be allowed to undertake testing including full load testing by injecting its infirm power into the grid before being put into commercial operation, even before availing any type of open access, after obtaining permission of the State Load Despatch Centre, which

shall keep grid security in view while granting such permission. Commercial treatment of such infirm power from a generating station or a unit thereof, other than those based on non-conventional energy sources, the tariff of which is determined by the Commission, will be governed by the applicable regulations on Terms and Conditions of Tariff. The power injected into the grid from other generating stations as a result of such testing shall be charged at the rates for imbalance determined by the Commission (UI rates where rates of imbalance have not been notified by the Commission).

(10) An applicant may be required by the State Transmission Utility to construct a dedicated line to the point of connection to enable connectivity to the grid, unless exempted by the Commission for reasons to be recorded in writing. The cost of such line shall be borne by the applicant.

7. *Application procedure for connectivity to distribution system by a generating station.*—(1) All eligible generating stations including a captive generating plant, seeking connectivity to the distribution system, shall apply to the distribution licensee for connectivity in the form prescribed in the procedure to be laid down by the distribution licensee.

(2) The application shall be accompanied by a non-refundable fee of Rs. two lakh through demand draft in favour of the distribution licensee payable at Jammu/Srinagar.

(3) The application for connectivity shall contain details such as, proposed geographical location of the generating station, quantum of power to be injected and such other details as may be laid down by the distribution licensee concerned in the procedure.

8. *Processing of application and grant of connectivity to distribution system by a generating station.*—(1) On receipt of the application, the distribution licensee shall, in consultation and through coordination with State Transmission Utility and SLDC process the application and carry out the necessary inter-connection study as specified in the Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007.



(2) While granting connectivity, the distribution licensee shall specify the name of the sub-station or pooling station or switchyard where connectivity is to be granted. In case connectivity is to be granted by looping-in and looping-out of an existing or proposed line, the distribution licensee shall specify the point of connection and name of the line at which connectivity is to be granted.

(3) The distribution licensee shall indicate the broad design features such as switchyard and inter-connection facility up to the point of injection into the sub-station of the distribution licensee and the timeframe for completion of the same. The cost of creation of these facilities shall be borne by the generating company. In cases where augmentation of the distribution licensee's sub-station is involved, the generating station shall also bear the cost of bay, switchgear in the distribution licensee's sub-station and equipment for inter-connection of real time data to SLDC.

(4) The applicant and the distribution licensee shall comply with the provisions of Central Electricity Authority (Technical Standards for Connectivity to the Grid) Regulations, 2007, as amended up-to-date.

(5) The applicant shall sign a connection agreement with the distribution licensee where connectivity is being granted.

(6) The grant of connectivity shall not entitle an applicant to inter-change any power with the grid unless it obtains long-term access, medium-term open access or short-term open access in accordance with the provisions of these regulations.

(7) A generating station, including captive generating plant which has been granted connectivity to the distribution system shall be allowed to undertake testing including full load testing by injecting its infirm power into the grid before being put into commercial operation, even before availing any type of open access, after obtaining permission of the State Load Despatch Centre and the distribution licensee, who shall keep grid security

in view while granting such permission. Commercial treatment of such infirm power from a generating station or a unit thereof, other than those based on non-conventional energy sources, the tariff of which is determined by the Commission, will be governed by the applicable regulations on Terms and Conditions of Tariff. The power injected into the grid from other generating stations as a result of such testing shall be charged at the rates for imbalance determined by the Commission (UI rates where rates of imbalance have not been notified by the Commission).

9. *Application procedure for connectivity to distribution system by a consumer.*—Connectivity to distribution system by a consumer shall be governed as per procedure laid down in J&K State Electricity Supply Code and J&K State Distribution Code.

### CHAPTER 3

#### **General Provisions for Open Access**

10. *Eligibility for Open Access and conditions to be satisfied.*—

(1) Subject to the provisions of these regulations, the licensees, generating companies, captive generating plants and consumers shall be eligible for open access to the Intra-State transmission system of the State Transmission Utility or any transmission licensee on payment of transmission and other charges as may be determined by the Commission in accordance with Chapter 5 of these regulations.

(2) Subject to the provisions of these regulations, the licensees, generating stations, captive generating plants and consumers shall be eligible for open access to distribution system of a distribution licensee on payment of the wheeling and other charges as may be determined by the Commission in accordance with Chapter 5 of these regulations.

(3) Subject to the provisions of these regulations, open access shall be permissible to the consumers, located within the area of the distribution licensee of the State, having a contracted load of 1 (one) MW and above and connected to the distribution system of licensee at 33 kV or above,

seeking open access capacity and are connected through an independent feeder emanating from a sub-station of licensee or industrial feeder provided that all the consumers on such industrial feeder opt for open access and having simultaneous schedule of drawal under such open access :

Provided that the consumers who are not on independent feeders, shall be allowed open access subject to the condition that they agree to rostering restrictions imposed by utility on the feeders serving them :

Provided further that duties of the distribution licensee with respect to such open access consumers shall be of a common carrier providing non-discriminatory open access as per section 36(3) of the Act.

(4) A person having been declared insolvent or bankrupt or having outstanding dues against him for more than two months billing of distribution/transmission licensee at the time of application shall not be eligible for open access.

11. *Criteria for granting long-term access or medium-term or short-term open access.*—(1) Before awarding long-term access, the State Transmission/Distribution Utility shall have due regard to the augmentation required for the Intra-State transmission/distribution system.

(2) Medium-term open access or short-term open access shall be granted if the resultant power flow can be accommodated in the existing transmission/distribution system or the transmission/distribution system under execution :

Provided that no augmentation shall be carried out to the transmission/distribution system for the sole purpose of granting medium-term open access or short-term open access :

Provided further that construction of a dedicated transmission/distribution feeder line shall not be construed as augmentation of the transmission/distribution system for the purpose of this regulation.

## CHAPTER 4

### **Application Procedure and Approval**

12. *Categories of Open Access Consumers.*—The application procedure, application fee and the timeframe of processing request by eligible consumers seeking open access shall be based on the following criteria :—

- (1) System to which connected—
  - (a) Intra-State transmission system ;
  - (b) Distribution system.
- (2) Inter-se location of drawal and injection points—
  - (a) Both within the same distribution system ;
  - (b) Within the State but in different distribution systems ;
  - (c) Injection point in the Intra-State transmission system within the State ;
  - (d) In different States.
- (3) Duration of Open Access—
  - (a) Long-term access ;
  - (b) Medium-term open access ;
  - (c) Short-term open access.

13. *Application procedure for Open Access.*—(1) All applications for open access shall be made in the prescribed form and submitted to the Nodal Agency in accordance with these regulations.

(2) The Nodal Agency, application fee, documents to accompany the application and time frame for disposal of application are specified in the following Tables :—

Table 1 Open Access Consumers Connected to Distribution System.

S.No	Period	Inter-se location of drawal and injection point	Nodal agency	Application fee (Rs.)		Documents to accompany the application	Time frame for disposal of application (days from the receipt of application)	Applicable Charges	Applicable Losses
				For capacity of 10 MW and above	For capacity less than 10 MW				
1.	Short-Term Open Access	Both within the same Distribution licensee	Concerned Distribution Licensee	2000	2000	• Proof of payment of Application fee.	• 7 working days in case STOA applied for first time. • 3 working days on subsequent applications.	• Wheeling Charge • Cross Subsidy surcharge, Additional surcharge, if any • Stand-by charges, if any • Imbalance and Reactive Energy Charges, as applicable.	• Distribution loss in kind at relevant voltage level.
2.		Both within the same State but in areas of different Distribution Licensees	SLDC	5000	5000	• Proof of payment of Application fee. • Consent from concerned Distribution licensees.	• 7 working days in case STOA applied for first time. • 3 working days on subsequent applications.	• Wheeling Charge • Cross Subsidy surcharge, Additional, if any • Stand-by charges, if any • Imbalance and Reactive Energy Charges, as applicable. • Scheduling and system operating Charges as applicable. • Transmission change (Intra-State)	• Distribution loss in kind at relevant voltage level in respect of both Distribution Licensees • Transmission loss in kind. (Intra-State)
3.		Injection point in the intra-State transmission system within the State	SLDC	5000	5000	• Proof of payment of Application fee. • Consent from concerned Distribution licensees.	• 7 working days in case STOA applied for first time. • 3 working days on subsequent applications.	• Wheeling Charge • Cross Subsidy surcharge, Additional surcharge, if any • Stand-by charges, if any • Imbalance and Reactive Energy Charges, as applicable. • Scheduling and system operating Charges, as applicable. • Transmission change (Intra-State)	• Distribution loss in kind at relevant voltage level. • Transmission Loss in kind. (Intra-State)
4.		In different States	RLDC of the region where consumer is located	5000	5000	• Proof of payment of Application fee. • Consent from concerned SLDCs and Distribution licensees as applicable.	As per Central Commission's Regulation	• Wheeling Charges • Cross Subsidy surcharge, Additional surcharge, if any • Stand-by charges, if any • Imbalance and Reactive Energy Charges, as applicable. • Scheduling and system operating Charges, as applicable • Transmission Change (Intra-State and Inter State).	• Distribution loss in kind at relevant voltage level. • Transmission Loss in kind. (Intra-State and Inter State).

5.	Both within the same Distribution licensee	Concerned Distribution Licensee	50000	25000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before impending date of MTOA.</li> </ul>	20	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Stand-by charges, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> </ul>
6.	Both within the Same State but different Distribution Licensees	STU	100000	50000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before impending date of MTOA,</li> <li>• Consent from concerned distribution licensees</li> </ul>	40	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Stand-by charges, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system operating Charges as applicable.</li> <li>• Transmission charge (Intra-State)</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level in respect of both Distribution Licensees</li> <li>• Transmission loss in kind. (Intra-State)</li> </ul>
7.	Injection point in the Intra-State transmission system within the State	STU	100000	50000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before impending date of MTOA,</li> <li>• Consent from concerned Distribution licensees</li> </ul>	40	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Stand-by charges, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system operating Charges, as applicable.</li> <li>• Transmission charge (Intra-State)</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State)</li> </ul>

Medium-Term Open Access

B.	In different States	CTU	100000	100000	100000	As per Commission's Regulation	• Wheeling Charges • Cross Subsidy surcharge, Additional surcharge, if any • Stand by charges, if any • Imbalance and Reactive Energy Charges, as applicable. • Scheduling and system Operating Charges, as applicable • Transmission Charge (Intra-State and Inter State).	• Distribution loss in kind at relevant voltage level. • Transmission Loss in kind. (Intra-State and Inter State).
9.	Both within the same Distribution licensee	Concerned Distribution Licensee	50000	25000	100000	20	• Wheeling Charge • Cross Subsidy surcharge, Additional surcharge, if any • Stand by charges, if any • Imbalance and Reactive Energy Charges, as applicable.	• Distribution loss in kind at relevant voltage level.
10.	Both within the same State but different Distribution Licensees	STU	100000	50000	100000	• 120 days where augmentation of transmission system is not required • 150 days, where Augmentation of transmission system is required.	• Wheeling Charge • Cross Subsidy surcharge, Additional surcharge, if any • Stand by charges, if any • Imbalance and Reactive Energy Charges, as applicable. • Scheduling and system Operating Charges as applicable. • Transmission charge(Intra-State)	• Distribution loss in kind at relevant voltage level in respect of both Distribution Licensees • Transmission loss in kind. (Intra-State)

11.	Injection point in the Intra State transmission system within the State	STU	100000	50000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee</li> <li>• PPA or Sale purchase agreement of power, station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA, Consent from concerned Distribution licensee</li> </ul>	<ul style="list-style-type: none"> <li>• 120 days where augmentation transmission system is not required,</li> <li>• 150 days, where augmentation transmission system is required.</li> </ul>	<ul style="list-style-type: none"> <li>• Wheeling Charge</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Stand by charges, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable,</li> <li>• Scheduling and system Operating Charges, as applicable,</li> <li>• Transmission charge (Intra State)</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra State)</li> </ul>
12.	In different States	CTU	100000	100000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale purchase agreement of power, station not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA, Consent from concerned SLDCs and Distribution licensees as applicable</li> </ul>	As per Commission's Regulation	<ul style="list-style-type: none"> <li>• Wheeling Charges</li> <li>• Cross Subsidy surcharge, Additional surcharge, if any</li> <li>• Stand by charges, if any</li> <li>• Imbalance and Reactive Energy Charges, as applicable,</li> <li>• Scheduling and system Operating Charges, as applicable</li> <li>• Transmission Charge (Intra State and Inter State).</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra State and Inter State).</li> </ul>



Table 2 Consumers Connected to Intra- State Transmission System.

S.No	Period	Inter-se location of drawal and injection point	Nodal agency	Application fee (Rs.)		Documents to accompany the application	Time frame for disposal of application	Applicable Charges	Applicable Losses
				For capacity of 10 MW and above	For capacity less than 10 MW				
1	Short-Term Open Access	Both within the same State (in the Intra-State transmission system)	SLDC	5000	5000	• Proof of payment of Application fee.	• 7 working days in case STOA applied for first time. • 3 working days on subsequent STOA applications.	<ul style="list-style-type: none"> <li>Imbalance and Reactive Energy Charges, as applicable.</li> <li>Scheduling and system Operating Charges, as applicable</li> <li>Transmission Charge (Intra-State),</li> <li>Wheeling Charge, if applicable (ie. If fixed charge being paid by consumer could be attributed to wheeling/ distribution network related cost)</li> </ul>	<ul style="list-style-type: none"> <li>Transmission Loss in kind. (Intra-State).</li> </ul>
2.		Injection point in the distribution system within the State	SLDC	5000	5000	• Proof of payment of Application fee. • Consent from concerned Distribution licensee.	• 7 working days in case STOA applied for first time. • 3 working days on subsequent STOA applications.	<ul style="list-style-type: none"> <li>Wheeling Charges, as applicable.</li> <li>Imbalance and Reactive Energy Charges, as applicable.</li> <li>Scheduling and system Operating Charges, as applicable</li> <li>Transmission Charge (Intra-State).</li> </ul>	<ul style="list-style-type: none"> <li>Distribution loss in kind at relevant voltage level.</li> <li>Transmission Loss in kind. (Intra-State).</li> </ul>
3.		In different States	RLDC of the region where consumer is located	5000	5000	• Proof of payment of Application fee. • Consent from concerned SLDCs and Distribution licensee as applicable.	As per Central Commission's Regulation	<ul style="list-style-type: none"> <li>Imbalance and Reactive Energy Charges, as applicable.</li> <li>Scheduling and system Operating Charges, as applicable.</li> <li>Transmission Charge (Intra-State and Inter-State).</li> <li>Wheeling Charge, if applicable (i.e. If fixed charge being paid by consumer could be attributed to wheeling/ distribution network related cost)</li> </ul>	<ul style="list-style-type: none"> <li>Distribution loss in kind at relevant voltage level, if applicable.</li> <li>Transmission Loss in kind. (Intra-State and Inter State).</li> </ul>

4.	Medium-Term Open Access					Both within the same State (in the Intra-State transmission system)	STU	100000	50000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA,</li> </ul>	20	<ul style="list-style-type: none"> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable</li> <li>• Transmission Charge (Intra-State).</li> <li>• Wheeling Charge, if applicable (i.e. If fixed charge being paid by consumer could be attributed to wheeling/ distribution network related cost)</li> </ul>	<ul style="list-style-type: none"> <li>• Transmission Loss in kind. (Intra-State).</li> </ul>
5.						Injection point in the distribution system within the State	STU	100000	50000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of MTOA,</li> <li>• Consent from concerned Distribution licensee.</li> </ul>	20	<ul style="list-style-type: none"> <li>• Wheeling Charges, as applicable.</li> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable</li> <li>• Transmission Charge (Intra-State).</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level.</li> <li>• Transmission Loss in kind. (Intra-State).</li> </ul>
6.						In different States	CTU	100000	100000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• PPA or Sale-purchase agreement of power,</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence for completion of the connectivity showing that the same</li> </ul>	As per Central Commission's Regulation	<ul style="list-style-type: none"> <li>• Imbalance and Reactive Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable.</li> <li>• Transmission Charge (Intra-State and inter-State).</li> <li>• Wheeling Charge, if applicable (i.e. If fixed charge being paid by consumer could be attributed to wheeling/</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level, if applicable.</li> <li>• Transmission Loss in kind. (Intra-State and inter-State).</li> </ul>

Long-Term Access							shall be completed before intending date of MTOA.		distribution network related cost)	
7.	Both within the same State (in the intra-State transmission system)	STU	200000	100000			<ul style="list-style-type: none"> <li>Consent from concerned SLDCs and Distribution licensee, as applicable</li> <li>Proof of payment of Application fee.</li> <li>Bank Guarantee, PPA or Sale-purchase agreement of power.</li> <li>In case of generating station or consumer not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA.</li> </ul>	<ul style="list-style-type: none"> <li>120 days where augmentation transmission system is not required.</li> <li>150 days, where augmentation transmission system is required.</li> </ul>	<ul style="list-style-type: none"> <li>Imbalance and Reactive Energy Charges, as applicable.</li> <li>Scheduling and system Operating Charges, as applicable</li> <li>Transmission Charge (Intra-State).</li> <li>Wheeling Charge, if applicable (ie. If fixed charge being paid by consumer could be attributed to wheeling/ distribution network related cost)</li> </ul>	<ul style="list-style-type: none"> <li>Transmission Loss in kind. (Intra-State).</li> </ul>
8.	Injection point in the distribution system within the State	STU	200000	100000			<ul style="list-style-type: none"> <li>Proof of payment of Application fee.</li> <li>Bank Guarantee, PPA or Sale-purchase agreement of power.</li> <li>In case of generating station or consumer not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA.</li> <li>Consent from concerned Distribution licensee.</li> </ul>	<ul style="list-style-type: none"> <li>120 days where augmentation transmission system is not required.</li> <li>150 days, where augmentation transmission system is required.</li> </ul>	<ul style="list-style-type: none"> <li>Wheeling Charges, as applicable.</li> <li>Imbalance and Reactive Energy Charges, as applicable.</li> <li>Scheduling and system Operating Charges, as applicable</li> <li>Transmission Charge (Intra-State).</li> </ul>	<ul style="list-style-type: none"> <li>Distribution loss in kind at relevant voltage level.</li> <li>Transmission Loss in kind. (Intra-State).</li> </ul>

9.	In different States	CTU	200000	200000	<ul style="list-style-type: none"> <li>• Proof of payment of Application fee,</li> <li>• Bank Guarantee,</li> <li>• PPA or Sale purchase agreement of power,</li> <li>• In case of generating station or consumer not already connected to grid, documentary evidence for completion of the connectivity showing that the same shall be completed before intending date of LTA,</li> <li>• Consent from concerned STU and Distribution licensee, as applicable.</li> </ul>	As per Central Commission's Regulation.	<ul style="list-style-type: none"> <li>• Imbalance and Respective Energy Charges, as applicable.</li> <li>• Scheduling and system Operating Charges, as applicable.</li> <li>• Transmission Charge (Intra-State and Inter-State).</li> <li>• Wheeling Charge, if applicable (i.e. If fixed charge being paid by consumer could be attributed to wheeling/ distribution network related cost).</li> </ul>	<ul style="list-style-type: none"> <li>• Distribution loss in kind at relevant voltage level, if applicable.</li> <li>• Transmission Loss in kind. (Intra-State and Inter-State).</li> </ul>
----	---------------------	-----	--------	--------	--	---	--	--

14. *Procedure for Long Term Access :*

**(1) Involving Inter-State transmission system.**—Notwithstanding anything contained in sub-regulation (2) and (3) hereinbelow, procedure for Inter-State long-term access shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long Term Access and Medium Term Open Access in Inter-State Transmission and related matters) Regulations, 2009 or its statutory re-enactments as amended from time to time :

Provided that in respect of a consumer connected to a distribution system seeking Inter-State long-term access, the SLDC, before giving its consent to the RLDC as required under the Central Commission's Regulations, shall require the consumer to submit the consent of the distribution licensee concerned.

**(2) Involving only Intra-State transmission system.**—Subject to the provisions of sub-regulation (1) hereinabove, Intra-State long-term access involving Intra-State transmission system shall be in accordance with the provisions of clause (a) hereinbelow :—

- (a) The application for grant of long-term access shall contain details such as name of the entity or entities from whom electricity is proposed to be procured along with the quantum of power and such other details as may be laid down by the State Transmission Utility in the detailed procedure :

Provided that in case augmentation of transmission system is required, the applicant shall also have to bear the transmission charges for the same as per 2nd proviso of sub-regulation (1) of Regulation 21 contained in chapter 5 of these regulations :

Provided further that in cases where there is any material change in location of the applicant or change by more than 10 per cent in the quantum of power to be inter-changed using the Intra-State transmission system, a fresh application shall be made, which shall be considered in accordance with these regulations.

- (b) The applicant shall submit any other information sought by the nodal agency including the basis for assessment of power to be inter-changed using the Intra-State transmission system and power to be transmitted to or from various entities or regions to enable the nodal agency to plan the Intra-State transmission system in a holistic manner ;
- (c) The application shall be accompanied by a bank guarantee of Rs 10,000/- (ten thousand) per MW of the total power to be transmitted. The bank guarantee shall be in favour of the nodal agency, in the manner laid down under the detailed procedure ;
- (d) The bank guarantee of Rs. 10,000 /- (ten thousand) per MW shall be kept valid and subsisting till the execution of the long-term access agreement, in the case when augmentation of transmission system is required, and till operationalisation of long-term access when augmentation of transmission system is not required ;
- (e) The bank guarantee may be encashed by the nodal agency, if the application is withdrawn by the applicant or the long-term access rights are relinquished prior to the operationalisation of such rights when augmentation of transmission system is not required ;
- (f) The aforesaid bank guarantee will stand discharged with the submission of another bank guarantee required to be given by the applicant to the State Transmission Utility during construction phase when augmentation of transmission system is required, in accordance with the provisions in the detailed procedure ;
- (g) On receipt of the application, the nodal agency shall, in consultation and through coordination with other agencies involved in Intra-State transmission system to be used, process the application and carry out the necessary system studies as

expeditiously as possible so as to ensure that the decision to grant long-term access is arrived at within the timeframe specified in sub-regulation (2) of Regulation 13 above :

Provided that in case the nodal agency faces any difficulty in the process of consultation or coordination, it may approach the Commission for appropriate directions ;

- (h) Based on the system studies, the nodal agency shall specify the Intra-State transmission system that would be required to give long-term access. In case augmentation to the existing Intra-State transmission system is required, the same will be intimated to the applicant ;
- (i) While granting long-term access, the nodal agency shall communicate to the applicant, the date from which long-term access shall be granted and an estimate of the transmission charges including additional transmission charges, if any, for works pertaining to augmentation of transmission system as per 1st proviso of sub-regulation (a) above, likely to be payable based on the prevailing costs, prices and methodology of sharing of transmission charges specified by the Commission subject to approval by the Commission in accordance with 2nd proviso of sub- regulation (1) of Regulation 21 contained in Chapter 5 of these regulations ;
- (j) The applicant shall sign an agreement for long-term access with the State Transmission Utility in case long-term access is granted by the State Transmission Utility, in accordance with the provision as may be provided in the detailed procedure. While seeking long-term access to an Intra-State transmission licensee, other than the State Transmission Utility, the applicant shall sign a tripartite long-term access agreement with the State Transmission Utility and the Intra-State transmission licensee. The long-term access agreement shall contain the date of

commencement of long-term access, the point of injection of power into the grid and point of drawal from the grid and the details of dedicated transmission lines, if any, required. In case augmentation of transmission system is required, the long-term access agreement shall contain the timeline for construction of the facilities of the applicant and the transmission licensee, the bank guarantee required to be given by the applicant and other details in accordance with the detailed procedure ;

- (k) Immediately after grant of long-term access, the nodal agency shall inform the State Load Despatch Centre so that it can consider the same while processing requests for grant of short-term open access, received under these regulations ;
- (l) On the expiry of the period of long-term access, the same shall stand extended on a written request by the consumer, to the State Transmission Utility, submitted at least six months prior to such expiry, mentioning the period for which extension is required :

Provided that in case no written request is received from the customer within the timeline specified above, the said long-term access shall stand terminated on the date up to which it was initially granted.

(3) **Within same distribution system.**—The procedure specified in sub-regulation (2) above shall, *mutatis mutandis*, apply to cases of long-term access when the point of injection and the point of drawal are located in the same distribution system.

#### 15. *Procedure for medium-term open access :*

(1) **Involving Inter-State transmission system.**—Notwithstanding anything contained in sub-regulation (2) and (3) hereinbelow, procedure for Inter-State medium-term open access shall be as per Central Electricity Regulatory Commission (Grant of Connectivity, Long-Term Access and



Medium-Term Open Access in Inter-State Transmission and related matters) Regulations, 2009 or its statutory re-enactment as amended from time to time :

Provided that in respect of a consumer connected to a distribution system seeking Inter-State medium-term open access, the SLDC, before giving its consent to the RLDC as required under the Central Commission's regulations, shall require the consumer to submit the consent of the distribution licensee concerned.

(2) **Involving only Intra-State transmission system.**—Subject to the provisions of sub-regulation (1) hereinabove, Intra-State medium-term open access involving Intra-State transmission system shall be in accordance with the provisions of sub-regulation (a) to (g) hereinbelow :—

- (a) The application for grant of medium-term open access shall contain such details as may be laid down under the detailed procedure and shall, in particular, include the point of injection into the grid, point of drawal from the grid and the quantum of power for which medium-term open access has been applied for ;
- (b) The start date of the medium-term open access shall not be earlier than 5 months and not later than 1 year from the last day of the month in which application has been made.
- (c) On receipt of the application, the nodal agency shall, in consultation and through coordination with other agencies involved in Intra-State transmission, process the application and carry out the necessary system studies as expeditiously as possible so as to ensure that the decision to grant or refuse medium-term open access is made within the timeframe specified in sub-regulation (2) of Regulation 13 hereinabove :

Provided that in case the nodal agency faces any difficulty in the process of consultation or coordination, it may approach the Commission for appropriate directions.

- (d) On being satisfied that the requirements, with respect to criteria for granting medium-term open access specified under sub-regulation (2) of Regulation 11 are met, the nodal agency shall grant medium-term open access for the period stated in the application :

Provided that for reasons to be recorded in writing, the nodal agency may grant medium-term open access for a period less than that sought for by the applicant :

- (e) The applicant shall sign an agreement for medium-term open access with the State Transmission Utility, in accordance with the provision as may be made in the detailed procedure. While seeking medium-term open access to an Intra-State transmission licensee, other than the State Transmission Utility, the applicant shall sign a tripartite medium-term open access agreement with the State Transmission Utility and the Intra-State transmission licensee. The medium-term open access agreement shall contain the date of commencement and end of medium-term open access, the point of injection of power into the grid and point of drawal from the grid, the details of dedicated transmission lines required, if any, the bank guarantee required to be given by the applicant and other details in accordance with the detailed procedure.
- (f) Immediately after grant of medium-term open access, the nodal agency shall inform the State Load Despatch Centre so that it can consider the same while processing requests for short-term open access received under these regulations.
- (g) On expiry of the period of the medium-term open access, the medium-term customer shall not be entitled to any overriding preference for renewal of the term.

(3) **Within same distribution system.**—The procedure specified in sub-regulation (2) above shall, *mutatis mutandis*, apply to cases of medium-term open access when the point of injection and the point of drawal are located in the same distribution system.

16. *Procedure for short-term Open Access :*

(1) **Involving Inter-State transmission system.**— Notwithstanding anything contained in sub-regulation (2) to (3) hereinbelow, procedure for Inter-State short-term open access shall be as per Central Electricity Regulatory Commission (Open Access in Inter-State Transmission) Regulations, 2008, or its statutory re-enactments, as amended from time to time :

Provided that in respect of a consumer connected to a distribution system seeking Inter-State short-term open access, the SLDC, before giving its consent to the RLDC as required under the Central Commission's regulations, shall require the consumer to submit the consent of the distribution licensee concerned.

(2) **Involving only Intra-State transmission system.**—Subject to the provisions of sub-regulation (1) hereinabove, Intra-State short-term open access shall be in accordance with the provisions of clause (a) to (f) hereinbelow :—

(a) Open access in advance :

- (i) Application may be submitted to the Nodal Agency seeking short-term open access up to the fourth month, considering the month in which an application is made being the first month ;
- (ii) Separate application shall be made for each month and for each transaction in a month ;
- (iii) The application to the Nodal agency shall be on the prescribed form given in [FORMAT ST-1] containing such details as capacity needed, generation planned or power purchase contracted, point of injection, point of drawal, duration of availing open access, peak load, average load and such other additional information as may

be required by the Nodal Agency. The application shall be accompanied by a non-refundable application fee in cash or by demand draft in favour of the officer so notified by Nodal Agency ;

- (iv) An application for grant of open access commencing in any month may be submitted in a cover marked “Application for short-term open access -in advance” up to 15th day of the preceding month.

For example, application for grant of open access commencing in the month of July shall be received up to 15th day of June.

- (v) Nodal Agency shall acknowledge receipt of the application by indicating time and date on “**ACKNOWLEDGEMENT**” to the applicant ;
- (vi) A customer of distribution licensee intending to avail open access shall also furnish a copy of his application to the distribution licensee of his area of supply ;
- (vii) Based on the type of transactions Nodal Agency shall take a decision on the applications for short-term open access in the manner provided hereinbelow ;
- (viii) All applications received under sub-clause (iv) above shall be taken up for consideration together and processed as per allotment priority criteria specified under Regulation 20 of these regulations ;
- (ix) Nodal Agency shall check transaction for congestion of any element (line and transformer) of transmission and distribution system involved in transaction ;
- (x) Nodal Agency shall convey grant of open access or otherwise in format [**FORMAT-ST-2**] along with

schedule of payments to the consumer latest by 19th day of such preceding month ;

- (xi) Nodal Agency shall assign specific reasons if open access is denied under sub-clause (x).

(b) Day-Ahead Open Access :

- (i) An application for grant of day-ahead open access may be received by Nodal Agency within three days prior to the date of scheduling but not later than 1000 hours of the day immediately preceding the day of scheduling for day-ahead transaction ;
- (ii) For example, application for day-ahead transaction on 25th day of July shall be received on 22nd day or 23rd day or up to 1000 hours on 24th day of that month ;
- (iii) Nodal Agency shall check for congestion and convey grant of approval or otherwise in the same format **[FORMAT-ST-2]** as provided in sub-clause (x) of clause (a) of sub-regulation 2 of Regulation 16. All other provisions of application for short-term open access shall apply.

(c) Bidding Procedure :

- (i) If the capacity sought by the customers for Open Access in advance for the following month is more than the available capacity or SLDC perceives congestion of any element of transmission and distribution system involved in the transaction, the allocation shall be made through electronic bidding procedure ;
- (ii) The decision of SLDC in respect of an expected congestion shall be final and binding ;

- (iii) SLDC shall convey information of congestion and decision for invitation of bidding indicating floor price on format **[FORMAT-ST-3]** to the applicants ;
- (iv) SLDC shall also display bidding information on its website ;
- (v) The floor price of transmission and wheeling charges determined on the basis of relevant order of the Commission shall be indicated in **FORMAT-ST-3** ;
- (vi) The bids shall be accepted on format [FORMAT-ST-4] up to the “bid closing time” as indicated in bidding invitation **FORMAT-ST-3**. Modification/amendment to a bid, once submitted shall not be entertained ;
- (vii) If any customer does not participate in bidding process, his application shall be deemed to have been withdrawn and shall not be processed ;
- (viii) SLDC shall not entertain any request for extension of time/date for submission of bids ;
- (ix) The bidders shall quote price (rounded-off to whole number) in denomination in which floor price has been determined ;
- (x) The quoted price shall be arranged in descending order and allocation of available capacities shall be accorded in such descending order until the available capacity is exhausted ;
- (xi) In case of equal price quoted by two or more customers, the allocation from the residual available capacity at any stage under sub-clause (x) above shall be made in proportion to capacity being sought by such customers ;

- (xii) All customers, in favour of whom full capacities have been allotted, shall pay the highest price obtained from bids ;
  - (xiii) The customers, who are allotted less capacity, shall pay the price as quoted by them ;
  - (xiv) SLDC shall reject bid which are incomplete, vague in any manner or not found in conformity with bidding procedure ;
  - (xv) The successful bidder, in favour of whom the capacities have been allocated, shall pay transmission charges, wheeling charges, as the case may be, determined by bidding under sub-clause (xii) or (xiii) of this clause.
- (d) The reserved capacity by a short-term open access customer is not transferable to others ;
- (e) The capacity available as a result of surrender or reduction or cancellation of the reserved capacity by the State Load Dispatch Centre, may be reserved for any other short-term open access customer in accordance with these regulations ;
- (f) On expiry of the period of the short-term open access, the short-term customer shall not be entitled to any overriding preference for renewal of the term.

(3) **Within same distribution system.**—The procedure specified in sub-regulation (2) above, *mutatis mutandis*, shall apply to cases of short-term open access when the point of injection and the point of drawal are located in the same distribution system.

#### 17. **Consent by STU, SLDC or Distribution Licensee :**

(1) **Inter-State Open Access.**— STU in the case of application for grant of long-term access and SLDC in the case of grant of medium-term open access and short-term open access shall convey its consent or otherwise as per the provisions of Central Electricity Regulatory Commission

(Grant of Connectivity, Long-Term Access and Medium-Term Open Access in Inter-State Transmission and related matters) Regulations, 2009 and Central Electricity Regulatory Commission (Open Access in Inter-State Transmission) Regulations, 2008, respectively or their statutory re-enactments, as amended from time to time. In case of applicant connected to the distribution licensee, the said distribution licensee shall convey its consent or otherwise within 3 days of receipt of the request of the applicant.

**(2) Intra-State Open Access :**

- (a) While processing the application seeking consent for intra-State open access, the nodal agency shall verify the following, namely :—
  - (i) Existence of infrastructure necessary for time block-wise energy metering and accounting in accordance with the provisions of the State Grid Code in force ; and
  - (ii) Availability of capacity in the transmission and/or distribution network.
- (b) Where existence of necessary infrastructure and availability of capacity in the transmission and/or distribution network has been established, the nodal agency shall convey its consent to the applicant by e-mail or FAX or by any other usually recognised mode of communication, within three (3) working days of receipt of the application ;
- (c) In case the nodal agency finds that the application for consent is incomplete or defective in any respect, it shall communicate the deficiency or defect to the applicant by e-mail or FAX or by any other usually recognised mode of communication, within two (2) working days of receipt of the application ;
- (d) In case the application has been found to be in order but the nodal agency refuses to give consent on the grounds of



non-existence of necessary infrastructure or unavailability of surplus capacity in the distribution network, such refusal shall be communicated to the applicant by e-mail or FAX or by any other usually recognized mode of communication, within the period of three (3) working days from the date of receipt of the application, along with reasons for such refusal ;

- (e) Where the nodal agency has not communicated any deficiency or defect in the application within two (2) days from the date of receipt of application, or refusal or consent within the specified period of three (3) working days from the date of receipt of the application consent shall be deemed to have been granted.

(3) **Within same distribution system.**— The procedure specified in sub-regulation (2) above, *mutatis mutandis*, shall apply to applicant seeking consent for Intra-State open access when the point of injection and the point of drawal are located in the same distribution system.

18. *Consideration of applications from defaulters.*— Notwithstanding anything contained in these regulations, the Nodal Agency shall be at liberty to summarily reject an application for open access on the ground of non-compliance of the provisions of these regulations, more specifically the provisions relating to timely payment of the charges leviable hereunder.

19. *Application by eligible entities other than consumers and generating stations connected to distribution system.*—The procedure for submission of the application and processing the same as laid down in this Chapter in respect of the consumers shall, *mutatis mutandis*, be applicable to the electricity trading licensees, distribution licensees and the generating companies connected to the STU as well. The procedure for submission and processing of open access application by a generating company in respect of a generating station connected to distribution system has been specified in Chapter 11 of these Regulations.

20. *Allotment Priority*.—(1) The priority for allotment of open access in Intra-State transmission system shall be decided on the following criteria :

- (a) A distribution licensee shall have the highest priority in allotment of open access capacity irrespective of whether the open access request is for long-term, medium-term or short-term ;
- (b) The long-term open access applicants shall have the priority next to the distribution licensee ;
- (c) The medium-term open access applicants shall have the priority next to the long- term open access applicants ;
- (d) The short-term open access applicants shall have the priority next to the medium-term open access applicants ;
- (e) Allotment priority for short-term open access applicants shall be decided subject to capacity availability ;
- (f) An existing open access customer shall have the priority higher than new open access applicants under respective category provided the former applies for its renewal thirty days prior to the expiry of existing term of open access ;
- (g) When the requirement projected by an applicant is more than the available capacity and the said applicant is not able to limit his requirement to the available capacity, the request of applicant having next lower priority shall be taken up for consideration.

## CHAPTER 5

### Open Access Charges

21. *Transmission Charges and Wheeling Charges* :

(1) **Transmission Charges**.—Open Access customer using transmission system shall pay the charges as stated hereunder :—

- (a) For use of Inter-State transmission system-As specified by the Central Commission from time to time ;

- (b) For use of Intra-State transmission system-Transmission charges payable to State Transmission Utility/transmission licensee by an open access customer for usage of their system shall be determined as under :—

$$\text{Transmission Charges} = \text{ATC} / (\text{PLS}_T \times 365) \text{ (in Rs./MW-day)}$$

Where,

**ATC** = Annual Transmission Charges determined by the Commission for the State transmission system for the previous year.

**PLS<sub>T</sub>** = Peak Load Served by the State Transmission system in that year :

Provided that transmission charges shall be payable on the basis of contracted Capacity/Scheduled Load or actual power flow whichever is higher. For open access for a part of a day, the transmission charges shall be payable on pro-rata basis :

Provided further that where augmentation of transmission system including dedicated transmission system used for open access has been constructed for exclusive use of or being used exclusively by an open access customer, the transmission charges for such dedicated system shall be worked out by transmission licensee for their respective systems and got approved by the Commission and shall be borne entirely by such open access customer till such time the surplus capacity is allotted and used for by other persons or purposes.

- (2) **Wheeling Charges.**—Wheeling charges payable to distribution licensee, by an open access customer for usage of its system shall be as determined as under :—

$$\text{Wheeling Charges} = (\text{ARR} - \text{PPC} - \text{TC}) / (\text{PLS}_D \times 365) \text{ (in Rs./MW-Day)}$$

Where,

**ARR** = Annual Revenue Requirement of the distribution licensee in the previous year

**PPC** = Total Power Purchase Cost of distribution licensee in the previous year

**TC** = Total transmission Charges paid by distribution licensee for State and Inter-State transmission system for the previous year

**PLS<sub>p</sub>** = Total Peak Load Served by the concerned Distribution system in the previous year :

Provided that wheeling charges shall be payable on the basis of contracted Capacity/Scheduled Load or actual power flow whichever is higher. For open access for a part of a day, the wheeling charges shall be payable on pro-rata basis :

Provided further that where a dedicated distribution system used for open access has been constructed for exclusive use of an open access customer, the wheeling charges for such dedicated system shall be worked out by distribution licensee for their respective systems and got approved by the Commission and shall be borne entirely by such open access customer till such time the surplus capacity is allotted and used for by other persons or purposes.

22. *Scheduling and system operation charges.*—Scheduling and system operation charges shall be payable by the open access customers at the following rates :—

(1) **In respect of Inter-State open access :**

(a) Long-term access and medium-term open access—

(i) Regional Load Despatch Centre fees and charges

including charges for the Unified Load Despatch and Communication Scheme as specified by the Central Commission under section 28(4) of the Indian Electricity Act, 2003 ;

- (ii) State Load Despatch Centre charges as specified by the Commission under sub-section (3) of section 27 of the Act.

(b) Short-term open access—

- (i) Regional Load Despatch Centre and State Load Dispatch Centre charges as specified by the Central Commission.

**(2) In respect of Intra-State open access :**

(a) Long-term access and medium-term open access—

- (i) Long-term access and medium-term open access customers shall be liable to pay SLDC charges determined by the Commission under sub-section (3) of section 27 of the Act.

(b) Short-term open access—

- (i) A composite operating charge @ Rs. 2,000/- per day or part of the day shall be payable by a short-term open access customer for each transaction to the SLDC or as determined by the Commission from time to time.

**Explanation :**—The operating charge includes fee for scheduling and system operation, energy accounting, fee for affecting revisions in schedule on *bona fide* grounds and collection and disbursement of charges.

23. *Cross subsidy surcharge.*—(1) If open access facility is availed of by a subsidising consumer of a distribution licensee of the State, then such customer, in addition to transmission and/or wheeling charges, shall pay cross subsidy surcharge determined by the Commission. Cross subsidy surcharge determined on per unit basis shall be payable, on a monthly basis, by the open access customers based on the actual energy drawn during the month through open access. The amount of surcharge shall be paid to the distribution licensee of the area of supply from whom the consumer was availing supply before seeking open access :

Provided that the Commission may fix a lower surcharge in the situation of shortages and load shedding by the distribution licensee :

Provided further that in case power supply position or the consumer load seeking open access changes substantially, the Commission may review the cross subsidy surcharge as and when required.

(2) The cross subsidy surcharge shall be determined in accordance with the following formula specified in National Tariff Policy :—

**Surcharge formula :**

$$S = T - \{C(1+L/100) + D\}$$

Where,

**S** is the cross Subsidy surcharge.

**T** is the Tariff payable by the relevant category of consumers.

**C** is the weighted average cost of power purchase of top 5% at the margin excluding liquid fuel based generation and renewable power.

**D** is the wheeling charges per kWh basis (to be derived from the wheeling charges in Rs./MW-day referred to in Regulation 21(2)).

**L** is the system losses for the applicable voltage level expressed as a percentage :

Provided that in case the above formula gives negative value of surcharge, the same shall be zero.

24. *Additional Surcharge.*—(1) An open access consumer, receiving supply of electricity from a person other than the distribution licensee of his area of supply, shall pay to the distribution licensee an additional surcharge on the charges of wheeling, in addition to wheeling charges and cross subsidy surcharge, to meet out the fixed cost of such distribution licensee arising out of his obligation to supply as provided under sub-section (4) of section 36 of the Act.

(2) This additional surcharge shall become applicable only if the obligation of the licensee in terms of power purchase commitments has been and continues to be stranded or there is an unavoidable obligation and incidence to bear fixed costs consequent to such a contract. However, the fixed costs related to network assets would be recovered through wheeling charges.

(3) The distribution licensee shall submit to the Commission, on six monthly basis, a detailed calculation statement of fixed cost which the licensee is incurring towards his obligation to supply.

The Commission shall scrutinize the statement of calculation of fixed cost submitted by the distribution licensee and obtain objections, if any, and determine the amount of additional surcharge :

Provided that any additional surcharge so determined by the Commission shall be applicable only to the new open access consumers.

(4) Additional surcharge determined on per unit basis shall be payable, on monthly basis, by the open access customers based on the actual energy drawn during the month through open access :

Provided that such additional surcharges shall not be levied in case distribution access is provided to a person who has established a captive

generation plant for carrying the electricity to the destination of his own use.

*25. Stand-by charges for drawal of power by open access consumer from distribution licensee.*—(1) In cases of outages of generator supplying to open access consumer under open access or generator connected to distribution system injecting power through open access requires start up power, stand-by arrangements shall be provided by the distribution licensee subject to the load shedding as applicable to consumer of the licensee and the licensee shall be entitled to collect tariff as applicable to temporary category of consumer in the prevailing rate schedule :

Provided further that in case of stand-by arrangements sought by continuous process industries, the licensee shall charge on the basis of actual costs involved in arranging power :

Provided also that open access customers would have the option to arrange stand-by power from any other source :

Provided further that there shall be no stand-by charges for embedded consumers.

## CHAPTER 6

### **Scheduling, Metering, Revision and Losses**

*26. Scheduling.*—(1) Notwithstanding anything contained in the succeeding sub-regulation of this regulation, scheduling of Inter-State open access transactions shall be as specified by the Central Commission.

(2) Subject to the foregoing clause, Intra-State open access transactions in respect of all consumers and generating stations irrespective of the capacity shall be scheduled by SLDC in accordance with the provisions of the State Grid Code.



27. *Metering*.—(1) All open access consumers (except embedded consumers) and all generating stations irrespective of capacity shall be provided with, Special Energy Meters by the State Transmission Utility or the distribution licensee as the case may be, for and at the cost of the open access customers. For embedded consumers existing ToD meters would be adequate.

(2) Special Energy Meters installed shall be capable of time-differentiated measurements for time block-wise active energy and voltage differentiated measurement of reactive energy in accordance with the State Grid Code.

(3) Special Energy Meters shall always be maintained in good condition.

(4) Special Energy Meters shall be open for inspection by any person authorized by the State Transmission Utility or the State Load Despatch Centre.

(5) All the open access customers shall abide by the metering standards of CEA.

28. *Revision*.—Revision of scheduled energy shall be permitted in accordance with the provisions of IEGC or the State Grid Code as the case may be.

29. *Losses* :

(1) **Transmission losses**.—System transmission losses shall be payable in kind by all open access customers :—

(a) Inter-State transmission—

(i) Long-term access and medium-term open access :

The buyers shall bear apportioned energy losses in the transmission system in accordance with the provisions specified by the Central Commission.

(ii) Short-term Open Access—

The buyers and sellers shall absorb apportioned energy losses in the transmission system in accordance with the provisions specified by the Central Commission.

(b) Intra-State transmission—

- (i) The transmission losses for the Intra-State system determined by the Commission in tariff orders for the applicable year, shall be apportioned in proportion to the actual energy drawal by the open access customers and shall be payable in kind.

(2) **Distribution loss.**—System distribution losses shall be payable by all open access consumers and Captive Power Plants supplying power to its units within the State as determined by the Commission for various voltage levels in tariff orders for the applicable year. Distribution system losses shall also be payable in kind by Generators and Traders who are connected through distribution system of licensee.

*Example :*

- (A) Embedded generator connected to 33kV distribution system of the licensee supplying to consumer outside State :
- (i) Power injected at interconnecting point - 8.00 MW.
  - (ii) Distribution system losses @ 15% - 1.20 MW
  - (iii) Power injected at transmission level - 6.80 MW
  - (iv) State transmission system losses @ 1.86% - 0.13 MW
  - (v) Net scheduled at state periphery (for SLDC) - 6.67 MW

- (vi) NR transmission losses @ 4% - 0.27 MW
- (vii) Net available to beneficiary - 6.40 MW

**Note :**—In addition to above, transmission losses of other regions shall also be applicable if power is being transmitted outside NR region.

(B) Consumer of distribution licensee availing power from outside State under open access (say from power exchange) :

- (i) Power drawn by the consumer at his premises (say A) - 8 MW
- (ii) Distribution loss @ 15% (say B)
- (iii) Power required at distribution periphery ( $C=A/(1-B)$ ) - 9.4 MW
- (iv) Transmission loss @ 1.86% (say D)
- (v) Schedule at state periphery ( $E=C/(1-D)$ ) - 9.6 MW
- (vi) Central transmission losses @ 4% (say F)
- (vii) Power to be tied up from exchange ( $G=E/(1-F)$ ) - 10 MW

**Note :**—In addition to above, transmission losses of other regions shall also be applicable if power is being drawn from outside NR region.

**Note :**—High Voltage rebate provided in relevant tariff order shall be suitably incorporated while fixing distribution loss for open access consumers. The same has been illustrated in the example given below :—

**Example :**

- (i) High Voltage Rebate for 132 kV (%) = A
- (ii) Average recovery rate from HT Industry category = Rs. X/kWh

- (iii) Average Power Purchase Rate = Rs. Y/kWh
- (iv) Equivalent loss compensation for rebate (%) =  $X/Y$  times of A
- (v) Average loss chargeable to relevant category (%) = B
- (vi) Loss chargeable to consumer getting HV rebate (%) =  $B - X/Y$  of A.

## CHAPTER 7

### Imbalance and Reactive Energy Charges

30. *Imbalance Charge*.—(1) Scheduling of all transactions pursuant to grant of long-term access or medium-term open access or short-term open access shall be carried out on day-ahead basis in accordance with the relevant provisions of IEGC for Inter-State transactions and in accordance with JKSERC (Grid Code) for Intra-State transactions.

(2) In case of deviation by open access consumers with load of less than 10 MW, the difference between the applicable sanctioned open access load and the actual drawal shall be accounted through the Time of Day (ToD) Meters on monthly basis and settled at the rate of the imbalance charge as determined by the Commission (where imbalance charge has not been determined by the Commission, UI rate as determined by the Central Commission shall be applicable). In case of under drawal as a result of non-availability of the distribution system or unscheduled load shedding, the open access consumer shall be compensated by the distribution licensee at the average power purchase cost of the distribution licensee or the contract price of energy for the open access consumer, whichever is lower.

(3) Deviations between the schedule and the actual injection/drawal in respect of open access consumers with load of 10 MW and above and the generating stations irrespective of the capacity, shall be settled based on the composite accounts for imbalance transactions issued by SLDC on a weekly cycle based on net metering in accordance with the rates specified

by the Commission. Where the imbalance charges are not specified by the Commission, the imbalance charges specified by the Central Commission shall be applicable.

(4) Payment of imbalance charges shall have a high priority and the concerned constituents (including the licensees or the open customers as the case may be) shall pay the indicated amounts within 10 (ten) days of the issue of the statement, into a State imbalance pool account operated by the SLDC. The person who has to receive the money on account of imbalance charges would then be paid out from the State imbalance pool account, within three (3) working days.

(5) If payments against the above imbalance charges are delayed by more than two days, i. e., beyond twelve (12) days from the date of issue of statement, the defaulting party shall have to pay simple interest @ 0.04% for each day of delay. The interest so collected shall be paid to the person who had to receive the amount, payment of which got delayed. Persistent payment defaults, if any, shall be reported by the SLDC to the Commission, for initiating remedial action.

31. *Reactive Energy Charge*.—In respect of open access customer the payment for the reactive energy charges shall be in accordance with provisions stipulated in the IEGC till such provision is stipulated in State Grid Code.

## CHAPTER 8

### Commercial Matters

32. *Billing, Collection and Disbursement*.—Billing in respect of the charges payable under these regulations shall be made as per the following procedure :

(1) **Inter-State transactions**.—

(a) Short-Term Open Access :

(i) Collection and disbursement of transmission charges for use of CTU and STU systems and operating

charges payable to RLDCs and SLDCs towards short-term open access shall be made by the nodal RLDC in accordance with the procedure specified by the Central Commission ;

- (ii) The short-term open access customer connected to distribution system of a distribution licensee shall pay to such distribution licensee, the wheeling charges payable to the distribution licensee within 3 days from the grant of the short-term open access by the nodal agency.
- (b) Long-term access and medium-term open access :
- (i) Billing, collection and disbursement of charges payable to RLDC including Unified Load Despatch and Communication Scheme shall be in accordance with the procedure specified by the Central Commission ;
  - (ii) Bills towards the charges payable to SLDC shall be raised by the STU/SLDC directly to the open access customer connected to STU and to the distribution licensee in respect of the customers connected to the distribution system, before the 3rd working day of the succeeding calendar month ;
  - (iii) Distribution licensee shall raise the bill with the open access customer connected to it within 3 days of receipt of bill from SLDC ;
  - (iv) Open access customer connected to the distribution licensee shall pay the charges within five days of receipt of bill from distribution licensee. The distribution licensee shall disburse the amount payable to STU/SLDC on a monthly basis ;
  - (v) Open access customer connected to the STU shall pay the bills within five working days of receipt of the bill.

**(2) Intra-State transactions—**

**(a) Short-Term Open Access :**

- (i) The short-term open access customer shall deposit with SLDC the transmission charges and operating charges within 3 working days of grant of the short-term open access by SLDC ;
- (ii) In addition to the above, the short-term open access customer connected to distribution system of a distribution licensee shall also pay to SLDC, the wheeling charges payable to the distribution licensee within 3 days from the grant of the short-term open access by the nodal agency. Such charges would be disbursed to the distribution licensee on a weekly basis.

**(b) Long-Term and Medium-Term open access :**

- (i) SLDC, transmission licensees and distribution licensee, where applicable, shall communicate to STU the details of the bills due to them by the 3rd day of the succeeding calendar month. STU shall separately indicate the above charges and raise the bill with the open access customer, together with the charges receivable by it, if any, before the 5th day of the above month. The open access customer shall pay the charges within 7 days from the date of receipt of the bill. STU shall disburse the charges payable to SLDC, transmission licensee and distribution licensee on a monthly basis.

33. *Late payment surcharge.*—In case the payment of any bill for charges payable under these regulations is delayed by an open access customer beyond the due date, without prejudice to any action under the Act or any other regulation thereunder, a late payment surcharge at the rate of 1.5% per month shall be levied.

34. *Default in payment.*—Non-payment of any charge or sum of money payable by the open access customer under these regulations shall be considered non-compliance of these regulations. The STU or any other transmission licensee or a distribution licensee may discontinue open access after giving customer an advance notice of fifteen days without prejudice to its right to recover such charges by suit. In case of default in payment of charges due to the Load Despatch Centre, the Load Despatch Centre concerned may refuse to schedule power to the defaulting open access customer and direct the licensee concerned to disconnect such customer from the grid.

35. *Payment Security Mechanism.*—In case of long-term access and medium-term open access, the applicant for open access will open an irrevocable Letter of Credit in favour of the agency responsible for collection of various charges for the estimated amount of various charges for a period of two months.

## CHAPTER 9

### **Limited Short-Term Open Access**

36. *Eligibility for limited short-term open access consumer and conditions to be satisfied.*—(1) Subject to the provisions of these regulations, any consumer of the distribution licensee having contracted load of 1 (one) MW or above and connected to the distribution system of licensee at 33 kV or above, seeking open access and are connected through an independent feeder emanating from a grid sub-station of licensee or industrial feeder provided that all the consumers on such industrial feeder, may apply for limited short-term open access and having simultaneous schedule of drawal under such open access.

(2) Subject to the provisions of these regulations, in case of any limited short-term open access consumer, the minimum schedule for drawl of power through open access in each time slot during the day shall not be less than maximum demand recorded during previous month or 80% of its contracted load whichever is higher.



*Explanation* :—For the purpose of this clause, “time slot” means each 30 minutes time block which is the minimum period for which the Time-of-day meter is capable of integrating the maximum demand.

37. *Settlement of Energy at drawal point in respect of limited short-term open access consumer.*—(1) The monthly energy drawal (in kVAh) during the open access period by such consumer shall be calculated from his scheduled drawal and by multiplying it with number of hours of open access availed during the month, as provided in the open access schedule of the consumer :

Provided that such energy drawal shall be at unity power factor.

(2) Such energy drawal through open access shall be deducted from the monthly consumption of energy recorded in his existing meter installed by the distribution licensee for billing purposes.

**Example :**

- (a) Contracted load of the such consumer = 10,000 kVA
- (b) Scheduled drawal = 8000 kW
- (c) No. of hours during “Normal Hours i. e. C1 period” during which open access was availed by the consumer during the month=120 hours
- (d) No. of hours during “Peak Hours i. e. C2 period” during which open access was availed by the consumer during the month=180 hours
- (e) No. of hours during “Off Peak Hours i. e. C3 period” during which open access was availed by the consumer during the month=60 hours
- (f) Assessed consumption during “C1 period” for the month during open access period =  $8000 \times 120 = 960000 \text{ kWh} = 960000 \text{ kVAh}$  (at unity pf)

- (g) Assessed consumption during “C2 period” for the month during open access period =  $8000 \times 180 = 1440000 \text{ kWh} = 1440000 \text{ kVAh}$  (at unity pf)
- (h) Assessed consumption during “C3 period” for the month during open access period =  $8000 \times 60 = 480000 \text{ kWh} = 480000 \text{ kVAh}$  (at unity pf)
- (i) Consumption recorded in consumer’s meter during “C1 period” for the month, say  $1200000 \text{ kVAh}$
- (j) Consumption recorded in consumer’s meter during “C2 period” for the month, say  $2000000 \text{ kVAh}$
- (k) Consumption recorded in consumer’s meter during “C3 period” for the month, say  $800000 \text{ kVAh}$
- (l) Net consumption during “C1 period” for the month to be accounted by distribution licensee for billing purpose =  $1200000 - 960000 = 240000 \text{ kVAh}$
- (m) Net consumption during “C2 period” for the month to be accounted by distribution licensee for billing purpose =  $2000000 - 1440000 = 560000 \text{ kVAh}$
- (n) Net consumption during “C3 period” for the month to be accounted by distribution licensee for billing purpose =  $800000 - 480000 = 320000 \text{ kVAh}$

(3) Scheduling shall be done in accordance with relevant provisions of IEGC for Inter-State transactions and in accordance with relevant provisions of State Grid Code for Intra-State transactions.

38. *Over-drawal/under-drawal at drawal point by limited short-term open access consumer.*—Imbalance charges as per Chapter 7 of these regulations and unscheduled Inter-change (UI) charges as specified by the Central Commission shall not be applicable for limited short-term

open access consumer. However, limited short-term open access consumer shall be liable to pay penalty for drawing excess demand in the manner provided below :—

(1) **Over-drawal**—In case such open access consumer draws power more than 100% of its contracted load or scheduled power, whichever is more for any time slot during the open access period in a day, it shall be liable for payment of penalty. Rate of penalty for each time slot (Rs./kVA of contracted load) shall be proportionate to the percentage of excess drawal as above and shall be equal to Rs. 0.10 for each per cent.

**Example :**

Calculation of penalty for one day

Contracted load (CD in kVA)	Excess drawal (%)	Rate of penalty (Rs./kVA/ time slot)	No. of time slot where power drawn is more than 100% of the CD (TS)	Penalty for each time slot (Rs.)	Total Penalty payable by consumer (Rs.)
		(0.10 X % excess drawal)		(TS X Rate X CD)	
10000	11	1.1	1	11100	
	15	1.5	3	45000	156100
	20	2.0	5	100000	

(2) **Under drawal**— In case where limited short-term open access consumer under-draws from the grid, he shall be compensated at average rate for power purchase cost by distribution licensee as per applicable tariff order for relevant year or contracted price of energy purchase by open access consumer, whichever is lower.

Average rate of power purchase cost = [Total power purchase cost/  
total units purchased].

39. *Charges applicable to limited short-term open access consumers.*—(1) Limited short-term open access consumers shall be exempted from payment of transmission charges, wheeling charges, cross subsidy surcharge and additional surcharge. However, they shall continue to pay other charges namely energy charge, demand/fixed charge, minimum consumption guarantee etc., applicable to them as per the rate schedule in the tariff order :

Provided that energy charges shall be payable at balance energy/ consumption calculated as per energy settlement mechanism provided in Regulations 37 and 38 above.

(2) Limited short-term open access consumers shall also be liable to pay composite operating charges @ Rs. 2,000/- per day or part of the day for each transaction to the SLDC or as determined by the Commission from time to time.

(3) In case Inter-State transmission system is used by such consumer in addition Intra-State transmission system or distribution system, transmission charges, RLDC charges etc., as fixed and approved by the Central Commission shall be payable for use of Inter-State transmission system in addition to payment of charges as per sub-regulations (1) and (2) above.

40. *Drawal of power by limited short-term access consumer from distribution licensee.*—In cases where supplier fails to supply power, in any time slot, to limited short-term open access consumer due to any reason, said supplier shall revise his schedule as per provisions of State Grid Code and the same shall be communicated to SLDC and concerned open access customer. The SLDC shall revise the schedule which shall become effective from 2nd time slot (counting the time slot in which such eventuality has taken place to be the first one) and the revised schedule shall be provided to distribution licensee. It shall be the duty of such open access consumers to draw power as per revised schedule. Drawal of power in excess of the revised schedule by limited short-term open access consumers shall be treated as over-drawal of power by such consumer and shall be liable to pay penalty as per sub-regulation (1) of Regulation 38 of these regulations.

41. *Nodal Agency for limited short-term open access customer.*—The Nodal Agency for limited short-term open access consumer shall be the State Load Despatch Center and in such case, the State Transmission Utility and/or a transmission licensee and/or a distribution licensee concerned, as the case may be, shall be responsible for coordination with the State Load Despatch Center and provide all relevant information required to take decision for providing open access.

42. *Procedure for grant of limited short-term open access customer.*—The procedure for grant of short-term open access specified in Regulation 16 contained in Chapter 4 shall be applicable for grant of Limited short-term open access also.

43. *Metering for limited short-term open access customer.*—In case of limited short-term open access consumers, the existing ToD meter installed at their premises shall serve the purpose for energy accounting and billing.

44. *Billing and payment for limited short-term open access consumers.*—(1) Limited short-term open access consumers, being a consumer of distribution licensee, shall continue to pay electricity charges billed to him on monthly basis by the distribution licensee subject to adjustments of quantum of energy and other charges for drawal of power during the period of open access provided in Regulation 39 above.

(2) Distribution licensee shall show these adjustments of quantum of energy and other charges, applicable to such consumer, separately in his electricity bill.

## CHAPTER 10

### **Embedded Open Access Consumers**

45. *Eligibility for open access to embedded consumers and conditions to be satisfied.*—Subject to the provisions of these regulations, any consumer of the distribution licensee having contracted load of 1 (one) MW or above and connected to the distribution system of the licensee at 33 kV or above, seeking open access and are connected through an independent

feeder emanating from a grid sub-station of licensee or industrial feeder provided that all the consumers on such industrial feeder, may apply for open access and having simultaneous schedule of drawal under such open access :

Provided that the consumers who are not on independent feeders, shall be allowed open access subject to the condition that they agree to rostering restrictions imposed by utility on the feeders serving them :

Provided further that duties of distribution licensee, with respect to such open access consumers, shall be of a common carrier providing non-discriminatory open access as per section 36(3) of the Act.

46. *Settlement of Energy at drawal point in respect of embedded consumers.*—The mechanism for settlement of energy at drawal point in respect of embedded customers shall be same as that provided for limited short-term open access customers in Regulation 37 contained in Chapter 9 of these regulations.

47. *Charges applicable to embedded consumers.*—(1) Embedded open access consumers shall pay transmission charges as determined by the Commission in accordance with the methodology specified in sub-regulation (1) of Regulation 21 contained in Chapter 5 of these regulations.

(2) Embedded open access consumers shall pay wheeling charges as determined by the Commission in the following manner :—

$$\text{WC Embedded consumer} = \text{WC} - [\text{FC} \times 12 \times 1000 / 365] \text{ (in Rs./MW-day)}$$

Where,

**WC** Embedded consumer = Net wheeling charges for embedded consumers

**WC** = Wheeling charges as determined by the Commission in accordance with the methodology specified in Regulation 21(2) contained in Chapter 5 of these regulations.

**FC** = Fixed/demand charges in Rs./kVA/month or Rs./kW/month as per applicable rate schedule of the prevailing tariff order.

**Note** :—In case Wheeling Charges for embedded consumer worked out as above becomes negative, such charge shall be zero.

(3) Embedded open access consumers shall pay cross subsidy surcharge and additional surcharge as determined by the Commission in accordance with the methodology specified in Regulations 23 & 24 contained in Chapter 5 respectively.

(4) Embedded open access consumers shall also be liable to pay composite operating charges @ Rs. 2,000/- per day or part of the day for each transaction to the SLDC or as determined by the Commission from time to time.

(5) Besides the above charges in respect of open access, the embedded consumers shall continue to pay other charges namely energy charge, demand/fixed charge, minimum consumption guarantee etc., applicable to them as per the rate schedule in the tariff order :

Provided that energy charges shall be payable at balance energy/ consumption calculated as per energy settlement mechanism provided in Regulations 46 above.

(6) In case Inter-State transmission system is used by such customer in addition Intra-State transmission system or distribution system, transmission charges, RLDC charges etc., as fixed and approved by the Central Commission shall be payable for use of Inter-State transmission system in addition to payment of charges as per clauses (1) to (5) above.

*48. Scheduling for embedded open access consumers.—*

(1) Scheduling shall be done in accordance with relevant provisions of IEGC for Inter-State transactions and in accordance with relevant provisions of State Grid Code for Intra-State transactions.

(2) By 10:00 A. M. every day, these embedded consumers shall prepare and submit daily schedule of power, in MW, separately showing

schedule of power from licensee and that from another supplier through open access for the next day, i. e. from 0000 hrs. to 2400 hrs. of the day following to SLDC along with copy to distribution licensee.

(3) Embedded open access consumers shall be liable to pay excess demand charges applicable to them as per the rate schedule in the tariff order.

**Example** :—Excess demand charges, applicable to category of consumer, shall be payable if the maximum demand recorded in any month exceeds the contracted load/demand. Such excess load/demand over and above the contracted load/demand shall be levied for excess load/demand penalty :—

- (a) Contracted load/demand of the consumer seeking open access under embedded open access mechanism = 10MW
- (b) Scheduled drawal from distribution licensee = 7MW
- (c) Scheduled drawal through open access = 3MW
- (d) Maximum demand recorded in any month = 12MW
- (e) Excess load/demand liable for excess load/demand penalty for the month = 2MW

49. *Procedure for grant of short-term open access to embedded consumers.*—Application and procedure for grant of open access to embedded consumers shall be as same as applicable to short-term open access customers specified in Regulation 16 contained in Chapter 4 of these regulations. Nodal Agency for these consumers shall be SLDC.

50. *Metering for embedded open access consumer.*—In case of embedded open access consumers, the existing ToD meter installed at their premises shall serve the purpose for energy accounting and billing.

51. *Billing and Payment for embedded open access consumer.*—(1) Billing, collection, disbursement and other commercial



matters shall be same as applicable to short-term open access customers specified in Chapter 8 of these Regulations.

(2) Embedded open access consumers, being a consumer of distribution licensee, shall continue to pay electricity charges billed to him on monthly basis by the distribution licensee subject to adjustments of quantum of energy and other charges for drawal of power during the period of open access provided in Regulation 46 above.

(3) Distribution licensee shall show these adjustments of quantum of energy and other charges, applicable to such consumer, separately in his electricity bill.

## CHAPTER 11

### **Open Access to Generating Station Connected to Distribution System**

52. *Application procedure for generating stations connected to distribution system seeking open access.*—Subject to the provisions of the Section 11 of the Act, a generating station connected to a distribution system seeking open access shall have to follow, except in respect of the case covered under Regulation 53 hereinbelow, the same procedure as applicable for a consumer seeking open access under different scenarios, namely long-term access, medium-term open access and short-term open access. Such generating station shall also be liable to pay the same application fee, and other open access charges except the cross subsidy surcharge and additional surcharge as are applicable to a consumer seeking open access.

53. *Application procedure for generating station seeking open access within the area of the same distribution licensee.*— (1) A generating station seeking open access, only within the area of the same distribution licensee, shall make an application in the prescribed format to the distribution licensee.

(2) The distribution licensee, while processing the application of such a generating station, shall follow the following procedure :—

- (a) While processing the application from a generating station seeking open access, within the area of the same distribution licensee, the distribution licensee shall verify the following, namely :—
  - (i) Existence of infrastructure necessary for time block-wise energy metering and accounting in accordance with the provisions of the State Grid Code in force ; and
  - (ii) Availability of surplus capacity in the distribution network.
- (b) Where existence of necessary infrastructure and availability of surplus capacity in the distribution network has been established, the distribution licensee shall convey its approval within the timelines indicated in sub-regulation (2) of Regulation 13 of these regulations as applicable to open access consumer ;
- (c) In case the distribution licensee finds that the application is incomplete or defective in any respect, it shall communicate the deficiency or defect to the applicant by e-mail or FAX or by any other usually recognised mode of communication, within two (2) working days of receipt of the application ;
- (d) In case the application has been found to be in order but the distribution licensee refuses to give approval for open access on the grounds of non-existence of necessary infrastructure or unavailability of surplus capacity in the distribution network, such refusal shall be communicated to the applicant by e-mail or FAX or by any other usually recognized mode of communication, within the period of three (3) working days from the date of receipt of the application, along with reasons for such refusal ;
- (e) The generating station shall pay the wheeling charge to the distribution licensee in accordance with sub-regulation (2) of

Regulation 21 contained in Chapter 5 of these regulations. The treatment of deemed generation in case of non-availability of distribution system shall be settled mutually between the generating station and the distribution licensee.

## CHAPTER 12

### Information System

54. *Information system.*—The State Load Dispatch Centre shall post following information on its website in a separate web page titled “Open access information” and also issue a monthly and annual report containing such information :—

- (1) A status report on long-term/medium-term/short-term open access by consumers and generating stations including limited short-term open access and open access by embedded consumers indicating—
  - (a) Name of open access consumer/generating station ;
  - (b) Period of open access granted (date of commencement and date of termination) ;
  - (c) Schedule of power from distribution licensee for each day (applicable to embedded open access consumers) ;
  - (d) Schedule of power through open access period for each day (applicable to embedded open access consumers) ;
  - (e) Schedule of open access period for each day (applicable to limited open access consumers) ;
  - (f) Point of injection ;
  - (g) Point of drawal ;
  - (h) Transmission system/distribution system used ; and
  - (i) Open access capacity used.

(2) Peak load flows and capacity available including the reserve capacity on all EHV lines and HV lines emanating from EHV sub-stations.

(3) The information regarding average loss in transmission and distribution system as determined by respective licensees.

## CHAPTER 13

### Miscellaneous

*55. Under Utilisation or Non-Utilisation of open access capacity in Intra-State transmission and distribution system :*

(1) **Long-Term Access.**—A long-term customer may relinquish the long-term access rights fully or partly before the expiry of the full term of long-term access, by making payment of compensation for stranded capacity as follows :—

- (a) Long-term customer who has availed access rights for at least 12 years :
  - (i) Notice of one (1) year - If such a customer submits an application to the Nodal Agency at least 1 (one) year prior to the date from which such customer desires to relinquish the access rights, there shall be no charges ;
  - (ii) Notice of less than one (1) year - If such a customer submits an application to the Nodal Agency at any time lesser than a period of 1 (one) year prior to the date from which such customer desires to relinquish the access rights, such customer shall pay an amount equal to 66% of the estimated open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of a notice period of one (1) year.

- (b) Long-term customer who has not availed access rights for at least 12 (twelve) years :

Such customer shall pay an amount equal to 66% of the estimated open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of 12 (twelve) years of access rights :

Provided that such a customer shall submit an application to the Nodal Agency at least 1 (one) year prior to the date from which such customer desires to relinquish the access rights :

Provided further that in case a customer submits an application for relinquishment of long-term access rights at any time at a notice period of less than one year, then such customer shall pay an amount equal to 66% of the estimated open access charges (net present value) for the period falling short of a notice period of one (1) year, in addition to 66% of the estimated open access charges (net present value) for the stranded transmission and/or distribution capacity for the period falling short of 12 (twelve) years of access rights.

- (c) The discount rate that shall be applicable for computing the net present value as referred to in clause (a) & (b) of sub-regulation (1) above shall be the discount rate to be used for bid evaluation in the Central Commission's Notification issued from time to time in accordance with the Guidelines for Determination of Tariff by Bidding Process for Procurement of Power by distribution licensees issued by the Ministry of Power.
- (d) The compensation paid by the long-term customer for the stranded transmission and/or distribution capacity shall be used for reducing transmission and/or wheeling charges payable by other long-term customers and medium-term customers in the year in which such compensation payment is due in the ratio of open access charges payable for that year by such long-term customers and medium-term customers.

(2) **Medium-term open access customers.**— A medium-term open access customer may relinquish rights, fully or partly, by giving at least 30 days prior notice to the Nodal Agency :

Provided that the medium-term open access customer relinquishing its rights shall pay applicable open access charges for the period of relinquishment or 30 days whichever is lesser.

(3) **Short-term open access customer.**—

- (a) The short-term open access schedules accepted by the Nodal Agency in advance or day-ahead basis may be cancelled or revised downwards on an application to that effect made to the Nodal Agency by the short-term open access customer :

Provided that such cancellation or downward revision of the short-term open access schedules shall not be effective before expiry of a minimum period of two (2) days : Provided further that the day on which notice for cancellation or downward revision of schedule is served on the Nodal Agency and the day from which such cancellation or downward revision is to be implemented, shall be excluded for computing the period of two (2) days.

- (b) The person seeking cancellation or downward revision of short-term open access schedule shall pay the open access charges for the first two (2) days of the period for which the cancellation or downward revision of schedule, as the case may be, has been sought, in accordance with the schedule originally approved by the Nodal Agency, and thereafter in accordance with the revised schedule prepared by the Nodal Agency during the period of such cancellation or downward revision.
- (c) In case of cancellation, scheduling and system operation charges specified in Regulations 22 contained in Chapter 5 shall be payable for two (2) days or the period of cancellation in days, whichever is less.

*56. Computation of capacity availability for open access.—*

(1) The capacity available for the open access shall be computed for each transmission segment and for every sub-station by the STU following the methodology given below :—

- (a) Available open access capacity of a transmission system segment : =  $(DC-SD-AC)+NC$  where, DC=Designed Capacity of the transmission segment in MW, SD = Sustained Demand in MW recorded in the segment, AC = Already allotted capacity, but not availed in MW and NC = New Capacity in MW expected to be added ;
- (b) Available open access capacity of a sub-station: =  $(TC-SP-AC)+NC$  where, TC= Transformer capacity of the sub-station in MVA, SP= Sub-station peak in MVA, AC= Already allotted capacity but not availed in MVA and New transformer capacity in MVA expected to be added ;
- (c) The STU shall update these values on monthly basis on the first calendar day of the month and publish it in their website.

(2) The appropriate distribution licensee shall determine the available capacity for allotment for the portion of the distribution system over which open access has been requested for.

*57. Curtailment priority.—*When, because of constraints or otherwise, it becomes necessary to curtail the open access service of the customers, subject to the requirements of State Grid Code, the open access to a distribution licensee shall be the last to be curtailed. Among others, short-term open access customers shall be curtailed first, followed by the medium-term open access customers followed by long-term open access customers. SLDC shall frame guidelines for curtailment of open access customers.

*58. Powers to remove difficulties.—*If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may by general or special order, direct the State Transmission Utility, State Load

Dispatch Centre, Intra-State licensees and the open access customer, to take such action, as may appear to the Commission to be necessary or expedient for the purpose of removing difficulties.

*59. Repeal and Savings.*—(1) Save as otherwise provided in these regulations, the J&K State Electricity Regulatory Commission (Terms and Conditions for Open Access in Intra-State Transmission and Distribution) Regulations, 2006, shall stand repealed from the date of commencement of these regulations.

(2) Notwithstanding such repeal, anything done or purported to have been done under the repealed regulations shall be deemed to have been done or purported to have been done under these regulations.

(3) Open access customers to the Intra-State transmission system and the distribution system in the State on the date of coming into force of these regulations under an existing agreement/contract shall be entitled to continue to avail such access to the transmission and distribution system. However, the terms and conditions, as stipulated under these Regulations shall be applicable from one month after the notification of these Regulations.

By order of the Commission.

(Sd.) .....

Secretary,  
Jammu and Kashmir  
State Electricity Regulatory Commission.

-----



*FORMATS for Short-Term*  
**FORMAT- ST1**

**APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS**

(to be submitted by the customer to SLDC)

To: Executive Engineer (SLDC),

1	Customer Application No.	Date	
2	Period of Transaction		
3	<b>Nature of Customer*</b> < seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >		

<\* In terms of power transfer>

4	Customer Name	
5	Registration Code	Valid up to

< Registration code shall be as provided by SLDC >

6 Details of Transaction Party's to Grid		
	Injecting Entity	Drawee Entity
Name of Entity		
Status of Entity*		
Utility in which it is Embedded		

< \* In terms of ownership- State Utility/CPP/IPP/ ISGS/Diocom/Consumer/specify, if any other >

7 Details of Injecting/Drawee Connectivity with intra-State System			
		Injecting Entity	Drawee Entity
Name of Sub-station	Transmission		
	Distribution		
Voltage Level	Transmission		
	Distribution		
Name of Licensee (Owner of S/S)			
Intervening intra-State Licensee			
Intervening inter-State Licensee			

8 Open Access Sought for ( Period from date _____ to date _____ )				
Date		Hours		Capacity
From	To	From	To	MW

9 Details of PPA/PSA/MoU					
Name & Address of Parties		Date of PPA/PSA/MoU	Validity Period		Capacity
Seller	Buyer		Commencement	Expiry	MW

10 Details of Non-Refundable Application Fee-Made				
Bank Details		Instrument Details		
	Type(Draft/Cash)	Instrument No.	Date	Amount(Rs.)

11.	I hereby authorize SLDC to process said application, in case open access capacity allotted, for day-ahead scheduling in accordance with the provisions of intra-State ABT.
-----	--

12.	Declaration
	All Entities/Utilities to transaction shall abide by provisions of the J&K Electricity Act, 2010 (the Act), J&K SERC (Terms and Conditions for Intra State Open Access) Regulations, 2015 and any other relevant regulation/order/ code as amended from time to time.

Place  
Date

Signature (with stamp)  
Name & Designation

**Enclosures**

- (1) Non-refundable application fee by Demand draft or cash receipt (if payment by cash).
- (2) Self-certified copy of PPA/PSA/MoU entered between the parties (buyer and seller) of transaction stating contracted power, period of transaction, drawal pattern, point(s) of injection and drawal etc.
- (3) Self-certified copies of concurrence of STU and/or transmission licensee and/or distribution licensee.
- (4) Other relevant documents, if any.

**Copy to along with relevant enclosures [except (1) & (2) above]:**

- (1) Managing Director of transmission licensee involved in transaction.
- (2) Managing Director of distribution licensee involved in transaction.
- (3) Officer in charge of transmission substation involved in transaction.
- (4) Officer in charge of distribution substation involved in transaction.

For use of SLDC (with Reference to Enrolment of Application)	
SLDC Reference ID No.	
Nodal SLDC Approval No.	< if approved >
Or Reason of Refusal* (If Refused)	

< \* SLDC may also enclose supporting documents for the reasons of refusal duly signed on each page >

FORMATS for Short-Term

**ACKNOWLEDGEMENT**  
(for office use only)

**APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS 1**

(A) < to be filled by the customer >

1	Customer Application No.	Date
2	Period of Transaction	
3	Nature of Customer*	< seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >

<\* In terms of power transfer>

4	Customer Name
5	Registration Code
	Valid up to

< Registration code shall be as provided by SLDC >

(B) < to be filled by SLDC >

Date and Time of Receipt of Application
---

Place  
Date

Signature (with stamp)  
Name & Designation

FORMAT-ST1: APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS (Page -3 of 3)

**ACKNOWLEDGEMENT**

(to be issued by SLDC to the customer immediately on receipt of application duly filled in)

**APPLICATION FOR GRANT OF SHORT-TERM OPEN ACCESS**

(A) < to be filled by the customer >

1	Customer Application No.	Date
2	Period of Transaction	
3	Nature of Customer*	< seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >

<\* In terms of power transfer>

4	Customer Name
5	Registration Code
	Valid up to

< Registration code shall be as provided by SLDC >

(B) < to be filled by SLDC >

Date and Time of Receipt of Application
---

Place  
Date

Signature (with stamp)  
Name & Designation

N.B.: This counterfoil may be scored out and issued to the customer.

FORMATS for Short-TermFORMAT-ST2**APPROVAL FOR SHORT-TERM OPEN ACCESS***(to be issued by SLDC)*

	Nodal SLDC Approval No.		Date	
--	-------------------------	--	------	--

1	Customer Application No.		Date	
2	Period of Transaction			
3	Nature of Customer*	< seller/buyer/captive user/trader (on behalf of seller/buyer/captive user) >		

&lt; \* In terms of power transfer &gt;

4	Customer Name			
5	Registration Code		Valid up to	

&lt; Registration code shall be as provided by SLDC &gt;

6	Details of Transaction Party's to Grid		
	Name of Entity	Injecting Entity	Drawee Entity
	Status of Entity*		
	Utility in which it is Embedded		

&lt; \* In terms of ownership- State Utility/CPP/IPP/ JSGS/Discom/Consumer/specify, if any other &gt;

7	Details of Injecting/Drawee Connectivity with intra-State System			
	Name of Sub-station	Transmission	Injecting Entity	Drawee Entity
		Distribution		
	Voltage Level	Transmission		
		Distribution		
	Name of Licensee (Owner of S/S)			
	Intervening intra-State Licensee			
	Intervening inter-State Licensee			

8	Open Access Approved for (period from date _____ to date _____)						Revision No.	
	Month	Date		Hours		Capacity (MW)		MWh
		From	To	From	To	Applied	Allotted	
						Total MWh		

9	Details of Bidding < only in case of Bidding >						
	Details of Intra-State System	Date		Hours		Applicable Rate (Rs./kWh)	
	Transmission System	From	To	From	To		
	Distribution System						

12. The approval is subject to provisions of J&KSERC (Terms and Conditions for Intra State Open Access) Regulations, 2015 and any other relevant regulation/order/code as amended and applicable from time to time. *< only in case of approval >*

13. No approval is being granted on account of *<only in case of rejection>*

*< SLDC shall convey specific reasons if open access is denied and may also enclose supporting documents to support the same duly signed on each page >*

---

Place

Signature (with stamp) Date  
Name & Designation

---

*FORMATS for Short-Term*  
**ENCLOSURE to FORMAT- ST2**

**SCHEDULE OF PAYMENTS**

(to be enclosed for each month by SLDC along with FORMAT-ST2)

	Nodal SLDC Approval No.		Date	
--	-------------------------	--	------	--

  

1	Customer Application No.	Date	
2	Period of Transaction		
3	Nature of Customer*	< seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >	

<\* In terms of power transfer>

  

4	Customer Name	
5	Registration Code	Valid up to

  

6	Tentative* Monthly Payment Schedule for Short-Term Open Access Charges ( Period: date to date )	Month	
	Payment Chargeable for	Rate (Rs./kWh)	MWh Total (Rs.)
	(1) Intra-State Network		
	(a) Transmission Charges		
	concerned Transmission Licensee		
	Intervening Intra-State Licensee(if any)		
	(b) Wheeling Charges		
	concerned Distribution Licensee		
	Intervening Intra-State Licensee(if any)		
	(c) Surcharge		
	concerned Distribution Licensee		
	(d) Additional Surcharge		
	concerned Distribution Licensee		
	(e) SLDC Charges		
	SLDC		
	(2) Inter-State Network		
	Transmission Charges		
	Intervening Intra-State Licensee(if any)		
	Total Monthly Payment Amount (Rs.)		

Place  
Date

Signature (with stamp)  
Name & Designation

\* Tentative on the basis of MWh mentioned in application which may vary on actual operation.



FORMATS for Short-Term  
**FORMAT-ST3**

**CONGESTION INFORMATION AND INVITATION OF BIDS**

*(to be invited by SLDC)*

SLDC Bid Invitation No. \_\_\_\_\_ Date \_\_\_\_\_

1	Customer Application No.	Date
2	Period of Transaction	
3	Nature of Customer*	< seller/buyer/captive user/trader (on behalf of seller/buyer/captive user) >

\* In terms of power transfer

4	Customer Name	
5	Registration Code	Valid up to

6. The anticipated congestion (transformer and electric line/link) is as follow:

Network Corridor		Congestion Period		Margin/ Capacity Available	Total Capacity Applied by all the Customers
Sub-station with Transformation Capacity	Electric Line/Link with Capacity	Date From To	Hours From To	MW	MW
Intra- State Transmission System					
Intra - State Distribution System					
Inter-State Transmission System					

7. In view of above please submit bid on format [FORMAT-ST4]. The details for bidding are hereunder:

(a) Bid Invitation Date		Time	
(b) Bid Submission Date		Time	
(c) Bid Opening Date		Time	
(d) Bids Invited for			
Intra- State Network Corridor	Congestion Period	Margin/Capacity Available for Bidding	Floor Price
Sub-station	Electric Line/Link	Date From To	Hours From To
Name of Transmission System			
Name of Distribution System			

8. In case of non submission of bid, application shall be deemed to have been withdrawn and shall not be processed.

Place  
Date

Signature (with stamp)  
Name & Designation

To: Customers with their reference's < as provided by customers at sl.no. 1 on FORMAT-ST1 >

FORMATS for Short-Term  
**FORMAT- ST4**

**BID PROPOSAL***(to be submitted by the customer to SLDC)*

Ref: SLDC Bid Invitation No. \_\_\_\_\_ Date \_\_\_\_\_

To: Executive Engineer (SLDC), \_\_\_\_\_

1	Customer Application No.	Date
2	Period of Transaction	
3	Nature of Customer*	< seller/buyer/captive user/trader(on behalf of seller/buyer/captive user) >

&lt;\* In terms of power transfer&gt;

4	Customer Name	
5	Registration Code	Valid up to

**6. In reference to above bidding invitation, I hereby submit my bid as follows:**

Bidding Details as provided by SLDC							
Intra-State Network Corridor		Congestion Period				Margin/Capacity Available for Bidding	Floor Price
Sub-station	Electric Line/Link	Date		Hours			
		From	To	From	To	MW	Paise./kWh
Name of Transmission System							Paise/kWh*
Name of Distribution System							

&lt; \* Bidder shall quote price (rounded-off to whole number) in denotation of floor price &gt;

7. I do hereby agree that determined bid price(s) shall be transmission and/or wheeling charges.

Place  
DateSignature (with stamp)  
Name & Designation



EXTRAORDINARY

REGD. NO. JK—33



**THE**  
**JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Tue., the 4th Aug., 2015/13th Srav., 1937. [No. 18-1

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART II—B**  
**Notifications, Notices and Orders by Heads of Departments.**

GOVERNMENT OF JAMMU AND KASHMIR,  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, J&K,  
SRINAGAR.

File No. 102/L. C.

Date of Institution : 24-03-2008.

Date of Award : 15-05-2015.

-----  
Mushtaq Ahmad and Ors.

Petitioner

Versus

Jai Parkash Industries Ltd., Chander Kote, Jammu.

Respondent  
-----

AWARD

1. Section 10 of the Industrial Disputes Act (herein referred to as Act). Envisages that where the appropriate Government is of the opinion that any industrial dispute exists or apprehended, it may at any time in writing referred to the dispute or any matter appearing to be connected with or relevant to the dispute to the Industrial Tribunal or the Labour Court for adjudication.

2. The authority identified by the State Government under the Act while having sufficient compliance with the provision of Act has made a reference to this tribunal vide SRO No. 53 on dated 3rd of March, 2008 for adjudication and passing an appropriate order. The reference made by the Government broadly and pointedly after having proper consideration by the Reconciliation Officer. The Government is of the opinion that industrial dispute exists between Mushtaq Ahmad, Mohd. Shabir and Nasir Din V/s. Jai Parkash Industries Ltd., Chander Kote. So in exercise of powers conferred by clause (C) of sub-section (1) of the section 10 of Industrial Disputes Act, 1947. The Government referred this dispute for adjudication on the following issues :—

1. Whether the termination of services of above name workmen is legally justified ?
2. If not, what relief, they are entitled ?

3. Fundamentally and primarily reference which made by the authority to this tribunal is based on report submitted by the Conciliation Officer. As per report cognizance of the case under reference was taken under Industrial Disputes Act and as per reply of the management, the demand notice of the union has been already fulfill and peitioners were the active member of the union as there was a conflict between two union and they are representing one and creating a trouble in smooth functioning of the work. So management has abandoned their job due to their internal union conflict. So due to stiff attitude of the management matter could not resolved in conciliation.

4. On receiving the reference this tribunal has issued the notice to the respondent also. But they did not appear and ultimately on 04-12-2008 *ex parte* is initiated against respondent and petitioner was directed to lead the *ex parte* evidence. Later on respondent appear and on their application *ex parte* order has been set aside on 06-07-2011. But again they remain absent. Resultantly again *ex parte* is initiated against them. Petitioners have also adduced evidence in support of their claim.

5. Brief resume of the petitioner evidence is hereby reproduced for just decision of the matter.

6. Petitioner Mushtaq Ahmad appeared as witness of his own claim and stated that he was working as labourer with J. P. Industries from October, 2004 as helper to telephone operator. This is an electricity project at Chander Kote J. P. Industries is a constructing agency. From October, 2004 he was getting salary along with allowance amounting to Rs. 4500/- per month. There was a labour union in the name of Chenab Hydro Power Project Workers Union. Management is not allowing them to become a member of the trade union under Trade Union Act. Petitioners refuse to submit the resignation from membership of the union. In the month of August, 2005 they have been terminated by the management without any inquiry or any notice neither they have any clear their account as per law. So they move an application before the Labour Court.

7. Petitioner Nasir Din also appeared as witness and stated that he was working with J. P. Industries in Baglihar Project as driver. So he was skill worker having a driving license. He was getting about Rs. 8000/- including allowances. He has joined the duty in January, 2003. He was member of the Chenab Hydro Power Project Workers Union which is registered under Trade Union Act. Management has directed them not to join the union which is their legal right. On this he has been terminated by the management in August, 2005 without giving any notice or conducting any inquiry.

8. Petitioner Mohd. Shabir appeared as witness and stated that he was appointed as driver in J. P. Industries in March, 2004 at Baglihar

Project. He was getting Rs. 4500/- per month. He was also terminated along with other petitioner on account of membership of the union without giving any notice or conducting any inquiry. He has not been paid any compensation on the termination.

9. P. W. Abdul Ghani stated that he has been engaged as electrician from the year 2001 to 2008 in the project. He knows the application No. 2 and 3 both of them work with him in the project. They have been engaged as driver from the year 2003 to 2005. They are very good and disciplined worker there were no complaint against them. When worker have joined trade union, management was not happy with their association with the trade union. Thereafter respondent all of sudden without any notice terminated them.

10. P. W. Gulzar Mohd stated on an affidavit that he has worked with J. P. Industries from 1998 to 2008, where these petitioners were also posted as driver-worker at dam site company had some misunderstanding with the petitioners on the point that why they have associated themselves with the trade union of worker. Company has pressurized a many time to leave their association with the union. Management ultimately terminated them without giving any notice.

11. P. W. Bashir Ahmad stated on an affidavit duly sworn in that he has also work in the J. P. Industries as helper with the driver from the year 2005 to 2008 at that time petitioner were also working as driver-worker at dam site Baglihar Electrical Project, Chander Kote. There was misunderstanding between petitioner and the management on the point that they should left the association with the trade union. Petitioner refused to leave the membership of the trade union due to this they have been terminated from the job without any notice.

12. This is whole sum and substance of petitioners evidence in *ex parte*.

13. I have thoughtfully considered the arguments advance by the representative of the petitioner and had minute study and appreciation of the evidence both oral as well as documentary available on file.

14. This court has to return the finding within the circumscribed limits of the term of reference identified by the competent authority appointed by Government we are not supposed and expected to travel beyond the term set up for adjudication. What is required to be settled precisely is to be finding out legality or otherwise action of the respondent management in this case. In case where the action as taken up by respondent in termination the services of the petitioners is illegal, assuming for the sake of arguments. Then it is to be seen what appropriate relief can be given to the petitioner on account of such illegal action.

15. Briefly petitioners were employee of the J. P. Industries which definitely covered under section 2 (S) of the Industrial Disputes Act, 1947. Because respondent have admitted before Conciliation Officer as per report that these three workers were terminated due to their involvement in one of the union and there was an internal union conflicts. So it is clear that they are employees of the company. Respondents were duly summoned but earlier they did not appeared and contest the reference in this tribunal. However, respondents appear through their counsel Sudershan Kumar and associate and file an application for setting aside *ex parte* order on 14-06-2011. The same application was allowed and this tribunal directed them to file their objections. But later on they again remained absent. So *ex parte* has been initiated against them.

16. Petitioners have claimed in this tribunal that management of Jai Prakash Industries is main contractor of NHPC for construction of Baglihar Hydro Project at Chander Kote. They have engaged petitioner No. 1 namely Mushtaq Ahmad as helper of the telephone operator. Whereas Nasir Din and Shabir Ahmed as driver in the project. In 2003/2004 they work hard as per the discipline and norms of the company time to time and are well trained as per requirement of the job. Petitioners has taken the membership of the trade union, respondents objected their association of union and on this score they have been terminated from their job without conducting any inquiry or any notice of termination. Petitioner No. 1 was getting salary Rs. 2870/- per month and other two petitioner was getting salary

Rs. 4050/- per month. So, finally prayed for issue of an award for reinstatement with back wages.

17. In terms of evidence on record adduced by the petitioners, it is abundantly clear that petitioner and witnesses have deposed with one voice that petitioners were terminated verbally and they have stopped from entering into the project by the management from 11-09-2005 because they have taken the membership of a union. Respondent have not contested herein, though they appeared before the Conciliation Officer and submitted that these three individuals are the followers of the Union President viz. Shri Sajad Ahmed and they have abandoned their job due to their internal conflict. There is nothing on record which shows that respondents have issued any notice with regard to their termination or they have conducted any inquiry in the conflict/dispute. They have not been charge-sheeted also which is clearly against the provision of the I. D. Act. Though it has been come in the evidence that petitioners have joined the trade union, so they have been terminated. Anyhow workers right to join the union is a constitutional right of a worker and objection of the management to restrained the applicants to join the union attracted unfair labour practice under section 2 (r-a) and clause-1 of the Schedule Vth of the I. D. Act, 1947. Workers have completed 240 days in a calendar year continuously. So they are conferred with the right of workmen. Therefore, respondent were under obligations to observe the mandate laid down under Industrial Disputes Act.

18. So it is clearly established that petitioners have been terminated by the employer without giving a proper chance of hearing and without conducting inquiry. It is also established that petitioners have been terminated on the ground that they have taken the membership of trade union which is their legal right. Termination without any notice or inquiry is not a legally justified termination.

19. In view of the above the termination of the petitioners by the respondent management is illegal, invalid, unwarranted and uncalled for and against the principle of natural justice. Therefore, the termination of

the petitioners by the respondent managements hereby set aside and respondents are directed to reinstate the petitioners forthwith. Admittedly petitioners have rendered services for more than 240 days in a calendar year as required and if workmen have joined any trade union it is not against the provision of the Act and they cannot be terminated on this point. Respondents have not contested the case at all. So there is no evidence which show that petitioners were working with some other agencies during the pendency of the petition. Even petitioners have also not averred anything about their unemployment.

20. So far as back wages in question is concerned, I realized that admittedly there is no evidence on the file which shows that during the pendency petitioners remain unemployed or not. Other side was in *ex parte* petitioners have not adduced any evidence on this point. It is well settled and it is necessary to consider the facts and circumstances of each case before granting back wages. On this point I relied on judgement of Hon'ble Bombay High Court 2012 LLR page 1034 relevant para 11 which is reproduced as under :—

“Admittedly, as recorded above, petitioner is disabled and project affected person. In the complaint, though very averments are made i. e. he is unable to earn and run the family and also no one else working in any Government Department and therefore, family were suffering because of the poor condition and he has no source of income, yet these averments have never been challenged and/or remained unchallenged, are sufficient to defend the submission made by the Learned Counsel appearing for the petitioner that there was no evidence or material placed on record that he was without job and was not earning anything during this period. These averments as are not denied, the observation that the burden lies upon the respondent to prove the same is not correct. I am, therefore, inclined to accept the averments made that he was not earning during this period, as he was out of job during this period. It is well settled and it is necessary to consider the facts and circumstances of each case before granting back wages a case is made out to modify the order and direct the petitioner to pay 50%

back wages. I am inclined duce 50% also for the reasons that admittedly, the respondent never rendered services during this period with the petitioner. The reduction to 50% back wages in my opinion is proper and reasonable compensation.

21. This is case where petitioners have been terminated illegally in the year 2005 and matter is long pending petitioners have not work with the J. P. Industries. There is no evidence which shows that they have works somewhere else also. Keeping in mind facts and circumstances of the case respondents is hereby directed to pay 50% of back wages from the date of termination till reinstatement. Accordingly an award is passed in favour of the petitioners and against the respondent management. Copy of the award be sent to the Government of J&K through its Commissioner/Secretary, Labour Department for information and for publication in the Government Gazette.

Announced :

15-05-2015.

(Sd.) ZUBAIR AHMAD RAZA,

District and Sessions Judge

(Presiding Officer),

Industrial Tribunal-cum-Labour Court, J&K.



EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Tue., the 4th Aug., 2015/13th Srav., 1937. [No. 18-2

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART II—B**

**Notifications, Notices and Orders by Heads of Departments.**

GOVERNMENT OF JAMMU AND KASHMIR,  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
SRINAGAR, JAMMU.

File No. 268/ITLC.

Date of Institution : 16-09-2013.

Date of Award : 04-06-2015.

Om Parkash S/o Shripat  
R/o Tandar, Tehsil Chenani  
and District Udhampur.

Versus

Project Manager, IHDP,  
Udhampur

In the Master of :—Application under section 33 C (2) of Industrial  
Disputes Act, 1947.

### AWARD

1. This is an application preferred by the petitioner under section 33 C (2) of Industrial Disputes Act, on the ground that he was working jobber in the Handlooms Corporation in Sewana C. F. C., Chenani under the Project Manager, I. H. D. P., Udampur, This tribunal has been pleased to passed an award dated 22-03-2013 on a reference made by the Government of J&K vide SRO-437 dated 30-11-2010 in favour of the petitioner against the respondent. Copy of award annexed with the file. So petitioner entitled to received from the respondent the said money/benefit as per award and accordingly petitioners have prepared a statement of the all benefits for which he is entitled. Total amount calculated by the petitioner is Rs. 10,62,776/- and finally prayed for computing amount in money and to determined the amount due to the petitioner and same be recovered by the respondent and paid to the petitioner.

2. On the presentation of this application notice has been issued to other side. Respondent appeared through their counsel and file their objections. In objection respondent has alleged that petitioner is not a permanent employee of non-applicant so question of calculation of salary and other benefit could not be calculated. Until and unless employees first regularized in service and thereafter Board of Director may later such decision of further course of action. Respondent have denied about the knowledge of award because same has been passed in *ex parte*.

3. I have heard Ld. Counsel for both sides and also perused the file. Petitioner's seek the computation of an award which has been already passed by this tribunal vide its order dated 22-03-2013 against the respondent. By virtue of the award petitioner held to be entitled for full back wages w. e. f. July, 1992 to ending February, 1997 and till his retirement age i. e. 31-03-2009 along with all other benefits of retirement, As the same is awarded in favour of the petitioner. In this application petitioner has alleged that he is entitled to receive an amount of Rs. 10,62,776/- as salary from 1992 to March, 2009, gratuity, leave salary, C. P. Fund along with interest.

Whereas other side has not responded properly against the contention of petitioner but as per them applicant was not a permanent employee of the respondent so the question of calculation of salary could not arise. As per them first of all his service is to be regularized after that question of benefits comes into play.

4. Final award has been already passed by this tribunal in which it has been held that petitioner is entitled all the benefits because termination of the services of the petitioner by the respondent has been held illegal, so order is quashed. As per petitioner's counsel, petitioner's junior have been regularized as permanent employee so he is also entitled as per service rules. But under section 33 C (2) this court has compute in money which is due to a workman from an employer under a settlement or an award. Which is reproduced as under—

“(2) Where any workman is entitled to receive from the employer any money or any benefit which is capable of being computed in terms of money and if any question arises as to the amount of money due or as to the amount at which such benefit should be computed, then the question may, subject to any rules that may be made under this Act, be decided by such Labour Court as may be specified in this behalf by the appropriate Government”.

5. So in view of above, at this stage this court cannot go into depth of matter but only compute the money is due from the employer to the petitioner. Petitioner has given in detail of total amount which has not objected by other side, but petitioner has wrongly shown some amount of C. P. Fund which has not been deposited by him in his account so he is not entitled for such amount. As per award petitioner is entitled for salary from July, 1992 to March, 2009. I have considered the detail given by petitioner and total salary amount come to Rs. 7,89,404/- whereas gratuity amount came to Rs. 62,827/- and leave salary as shown by petitioner is Rs. 37,994/- so total amount of all benefits as per the award is Rs. 8,90,225/-. As such the respondent is hereby directed to pay the above-mentioned amount to the employee within three month from today failing which petitioner shall also

be entitled to interest on the awarded amount @ 9% per annum till final realization of the wages. A copy of the award be sent to appropriate Govt. for necessary action under law. File shall go to record after its due completion.

Announced :

04-06-2015.

(Sd.) ZABAIR AHMAD RAZA,  
District and Sessions Judge  
(Presiding Officer),  
Industrial Tribunal-cum-Labour Court,  
J&K, Jammu.

EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Tue., the 4th Aug., 2015/13th Srav., 1937. [No. 18-3

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

**PART II—B**

**Notifications, Notices and Orders by Heads of Departments.**

GOVERNMENT OF JAMMU AND KASHMIR,  
INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT,  
SRINAGAR/JAMMU.

File No. 77/LC.

Date of Institution : 14-09-2007.

Date of Award : 17-04-2015.

President/General Secretary, Hindustan Coca Cola Bev. Pvt. Ltd., Worker  
Union, Gangyal, Jammu, C/o B. M. S. Office, Parade, Jammu.

Versus

Area General Manager, Hindustan Coca Cola Bev. Pvt. Ltd.,  
47-50, Gangyal, Jammu.

### AWARD

As per SRO-253 dated 11th July, 2007 Government of J&K has made a reference to this tribunal for adjudication on point of reference. On receiving the reference this tribunal has issued notices to both side and both side appeared and they have filed their claim and counter objection in the reference now the file was fixed for the evidence of the petitioner but on last date of hearing i. e. 16-04-2015. Authorized Representative of petitioner has made a request in open court that all the demand of the workers as mentioned in the terms of reference have been already fulfilled. So he don't want to persue the case anymore. As such he wants to withdraw from the reference. Otherside has also stated same version in open court. AR for petitioner was directed to think over the matter properly and then moved proper application after consulting the claimant.

Today Sh. Laxman Ravinder Singh has preferred an application for withdrawal from the point of reference as demands which have mentioned in their petition before the Conciliation Officer and in reference before this tribunal have been fulfilled. As such he has given application in writing and in support of his application statement has been also recorded it becomes part of the main file. AR for respondent also present he has also accepted that there is no dispute remaining between the parites so if case is consigned to record company has no objection.

In view of the above this tribunal has come to the conclusion that as per petitioners demand raised by the Worker Union of M/s. Hindustan Coca Cola Beverage Pvt. Ltd. has been already fulfilled. So they have moved an application for withdrawal of the point of reference. Case is pending since a long and petitioner unable to bring any evidence up till now. Petitioner is not interesting in pursuing the case. As such they have moved application for withdrawal from the reference. I have considered the application and satisfied that there is no need to proceed further in the

matter. Parties are not interested in pursuing the reference. Accordingly reference is hereby dismissed as withdrawn. The reference is accordingly replied. A copy of this order be sent to Govt. of J&K through Commissioner/ Secretary, Labour Department for information.

Announced :

07-04-2015.

(Sd.) ZUBAIR AHMAD RAZA,  
District and Sessions Judge  
(Presiding Officer),  
Industrial Tribunal-cum-Labour Court,  
J&K, Jammu.

EXTRAORDINARY

REGD. NO. JK—33



**THE  
JAMMU & KASHMIR GOVERNMENT GAZETTE**

Vol. 128] Srinagar, Wed., the 5th Aug., 2015/14th Srav., 1937. [No. 18-4

---

Separate paging is given to this part in order that it may be filed as a  
separate compilation.

---

**PART II—B**

**Notifications, Notices and Orders by Heads of Departments.**

---

JAMMU AND KASHMIR STATE ELECTRICITY REGULATORY  
COMMISSION, SRINAGAR.

Notification No. 44-JKSERC of 2015

Dated 05-08-2015.

In exercise of powers conferred under section 138 read with sections 60 and 71 (1) (e) of Jammu and Kashmir Electricity Act, 2010 and in terms of Regulation 19 of JKSERC (Renewable Power Purchase Obligation, its Compliance and REC Framework Implementation) Regulations, 2011 and all other powers enabling it in this behalf, the Jammu and Kashmir State Electricity Regulatory Commission hereby revises the



Renewable Power Purchase Obligation (RPO) targets for the FYs 2015-16 and 2016-17 and specifies the RPO targets for FY 2017-18 onwards up to FY 2021-22 Accordingly :—

1. The table under Regulation 7.1 of JKSERC (Renewable Power Purchase Obligation, its Compliance and REC Framework Implementation) Regulations, 2011 under the caption “Renewable Purchase Obligation (RPO) Target” shall be replaced by the following table :—

Year	Minimum quantum of purchase (in %) from renewable energy sources (in terms of energy equivalent in kWh)		
	Solar	Non-Solar (other RE)	Total
2010-11	0.02	0.98	1.00
2011-12	0.10	2.90	3.00
2012-13	0.25	4.75	5.00
2013-14	0.25	4.75	5.00
2014-15	0.75	5.25	6.00
2015-16	0.75	5.75	6.50
2016-17	1.00	6.50	7.50
2017-18	1.25	7.25	8.50
2018-19	1.50	8.00	9.50
2019-20	1.75	8.75	10.50
2020-21	2.00	9.50	11.50
2021-22	3.00	9.50	12.50

2. In Regulation 6.1 under caption “Operating Period” of JKSERC (Renewable Power Purchase Obligation, its Compliance and REC Framework Implementation) Regulations, 2011 the words “valid till March 31, 2016 (i. e. up to the financial year 2015-16)” shall and shall always be deemed to have been substituted by the words “valid till March 31, 2022 (i. e. up to the financial year 2021-22)”.

By order of the Commission.

(Sd.) ABDUL HAMID, KAS,

Secretary,  
J&K State Electricity Regulatory Commission,  
Srinagar.